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United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16251-16275

[Approved by the Secretary of Agriculture, Washington, D. C., October 2, 1929]

16251. Misbranding of Allenrhu. U. S. v. 34 Bottles of Allenrhu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. No. 23344. S. No. 1469.)

On January 28, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 bottles of Allenrhu, remaining in the original unbroken packages at Portland, Me., alleging that the article had been shipped from Boston, Mass., into the State of Maine, on or about May 16, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium phosphate and sodium sulphate, small amounts of sodium salicylate and colchicine, free acid, glycerin, and water, flavored with licorice and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For Rheumatic Aches and Pains When Not Due to Infection. Has Been Found Helpful in Lumbago, Sciatica, Neuralgia, and Neuritis," (blown in bottle) "For Rheumatic Aches and Pains," (carton, English and foreign languages) "An Advanced and Improved Preparation For the Treatment of Acute Rheumatism, Lumbago, Rheumatic Neuritis," (circular) "When you want to get rid of Rheumatism (not caused by infection) * * * Allenrhu will help you correct this * * *. Is your rheumatism caused by infection? The man or women who has acute rheumatism is the person most concerned with getting rid of it. How to get rid of the pain, the swelling, the inflammation, the agony, and how to prevent its returning after it is apparently conquered is what the sufferer wants to know. There are a few common sense, very simple rules to follow if rheumatism is to be driven out of the system. If these rules are followed when Allenrhu is being taken, the chances of overcoming this trouble in a shorter period of time is enhanced. Allenrhu is a medicine compounded in such a manner that experience of years shows that it has a helpful influence over acute rheumatism * * *. Many rheumatic sufferers are sad and depressed and it is hard to blame them for it * * *. It isn't absolutely necessary to follow these rules when taking Allenrhu and very few people do follow them but right living helps, as every doctor will tell you, and if you can shorten the duration of the attack by doing all you can to help, it is, of course, for your own good * * *. As a general rule, Allenrhu (liquid) will be found sufficient for all ordinary cases of acute Rheumatism," (mouth of bottle label) "For Rheumatic Aches and Pains," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 29, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16252. Misbranding of Day's asthma powder. U. S. v. 2 Dozen Packages of Day's Asthma Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23462. I. S. No. 02674. S. No. 1675.)

On February 25, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 dozen packages of Day's asthma powder, remaining in the original unbroken packages at Rochester, N. Y., alleging that the article had been shipped by Wm. D. Day & Co., Lawrenceville, Pa., November 27, 1928, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the powder consisted essentially of a mixture of stramonium leaves and potassium nitrate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Label on can) "Asthma Powder for Asthma, Catarrh, Hay Fever, Croup, Influenza * * * for Asthma, Diphtheria Croup * * * Burn small quantity, inhaling the fumes into the lungs. During attacks use half-hourly, between attacks use three times daily at least * * *. For Catarrh, Hay Fever, and Influenza burn in the same manner, inhaling the fumes through the nostrils * * * in all cases the greatest benefit will be secured by administering the remedy under a blanket thrown over the head."

On April 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16253. Misbranding of Taylor's laxative cold tablets. U. S. v. 16 Dozen Packages of Taylor's Laxative Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23466. I. S. No. 02676. S. No. 1676.)

On February 25, 1929, the United States attorney for the Western District of New York, acting upon the report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 dozen packages of Taylor's laxative cold tablets, remaining in the original unbroken packages at Fairport, N. Y., alleging that the article had been shipped by C. E. Jamieson & Co., Detroit, Mich., October 8, 1928, and transported from the State of Michigan into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide, 0.91 grain per tablet, total alkaloids (chiefly as cinchonine salicylate, 0.1 grain per tablet), camphor, capsicum, and extracts of laxative plant drugs.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Carton) "For LaGrippe;" (circular) "For the relief of LaGrippe, Coughs, and Neuralgia * * * one feels depressed, experiences pains or aches in various parts of the body, an annoying discharge from the nose, a stuffy head, the voice may become affected, the throat dry or sore, and a persistent cough * * *. Laxative Cold Tablets are prepared for the relief of * * * LaGrippe and should give prompt relief. It stimulates the general secretions, opens the pores of the skin, works on the liver."

On April 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16254. Misbranding of Laxa-Pirin. U. S. v. 4 Gross of Laxa-Pirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23457. I. S. No. 02730. S. No. 1591.)

On February 25, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 gross of Laxa-Pirin, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Hoosier Remedy Co., Indianapolis, Ind., January 21, 1929, and transported from

the State of Indiana into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetphenetidn (0.92 grain per tablet), acetylsalicylic acid (1.92 grains per tablet), a small amount of caffeine, a trace of aconite alkaloids, and extracts of laxative plant drugs.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (small carton) "For Grippe * * * Laxa-Pirin * * * designed to relieve * * * all * * * aches and pains, and the feverish condition. Cough * * * accompanying Grippe * * *. The second or third dose should give ease by lessening abnormal nervous tension * * *. For * * * LaGrippe. Adults, two tablets every two hours until three or four doses have been taken; then one or two tablets every four or five hours until relieved. * * * For * * * Grippe,"¹ (display carton) "For * * * Grippe * * * Neuralgia, Lumbago, and General Pains," (wholesale carton) "For * * * LaGrippe * * * and all General Aches and Pains," (circular) "For Relief of * * * Pain, Fever * * * to * * * overcome * * * grippe, and relieve all general aches and pains, such as neuralgia * * *. Relieves Pain. Many painful ailments, such as sinus or catarrhal pains and chronic headaches, are due to infection, toxic absorption, and other serious causes which may require special treatment. We do not claim that Laxa-Pirin overcomes infection or corrects diseased conditions which may be the real cause of the pain. But we do recommend Laxa-Pirin for relieving the pain itself. Take, for instance, neuralgia, lumbago, or muscular rheumatism due to exposure * * * Laxa-Pirin gives blessed relief from this pain, and allows you to live in comfort * * *. For * * * menstrual pains and the general aches and pains of life * * * Laxa-Pirin should always be * * * ready for use. It tends to relax nerve tension and strain and relieves pain * * *. There's no telling when you may * * * have a * * * touch of neuralgia * * *. Grippe * * * Take 1 to 2 tablets every 4 hours until relieved * * *. Neuralgia * * * Lumbago, General Aches and Pains: * * * For more serious, persistent pains, such as neuralgia, take 2 tablets every hour until 3 doses have been taken, or until relief appears * * *," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16255. Misbranding of Rising Mist salve. U. S. v. 14½ Dozen Packages of Rising Mist Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23494. I. S. No. 07907. S. No. 1716.)

On March 6, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14½ dozen packages of Rising Mist salve, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Wynn's Rising Mist Co., Elmira, N. Y., alleging that the article had been shipped from Elmira, N. Y., on or about January 21, 1929, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum, containing small amounts of menthol, camphor, methyl salicylate, and oil of eucalyptus.

¹ This wording is not accurate. The following is the actual wording on the labeling of the package involved in the action: "For * * * Grippe * * * Neuralgia, and General Pains * * *. Grippe:—Adults, 2 tablets with full glass water every 2 hours until 4 doses are taken * * * then 1 or 2 tablets every 4 hours until relieved * * *. Neuralgia, Lumbago, General Pains * * *. For * * * Grippe * * * Neuralgia, Lumbago, Pains."

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (jar label) "Pain * * * Croup, Sore Throat, Grip, Catarrh, Pneumonia * * * For * * * Pains Croup * * * pneumonia * * * Coughing, sore muscles * * * Neuralgia, eczema, itching piles, boils, Rheumatic Pains, stiff joints, lame back * * * For Coughs or Sore Throat * * * For * * * Pain," (carton) "For Pain * * * For Croup (Spasmodic) * * * Pneumonia, Catarrh, Tonsillitis, Bronchitis, Sore Throat, Whooping Cough, Asthma * * * Neuralgia, Eczema, Itching Humors, Itching Piles, Boils, Rheumatic Pains," (circular) "For Croup (Spasmodic) * * * Pneumonia, Catarrh, Tonsillitis, Bronchitis, Whooping Cough, Asthma, Sore Throat * * * Neuralgia, Eczema, Itching Humors, Boils, Rheumatic Pains * * * For * * * Pain * * * Rising Mist * * * is the * * * way to treat all diseases of the respiratory organs * * *. If throat is sore, a small piece of Rising Mist dissolved in mouth, swallowed slowly will give relief. * * * some penetrate, carrying the medication direct to the innermost affected parts, thus aiding the Mist in scattering the congestion. * * * Coughing, Sore Throat, Itching Piles, Boils, Stiff Joints, Lame Back, Sore Feet * * * Penetration for Pains * * * for stiff joints, lameness, lumbago, sore muscles, etc., Rising Mist * * *. During convalescence there is much pus to be gotten rid of and a free application of Rising Mist will help this process, which should * * * be * * * helped by the use of Rising Mist. Coughs * * * Croup Spasmodic * * * Catarrh Rising Mist has helped * * * cases of Catarrh. The essential oils in this salve promotes healing and softens the mucous membrane and hard sores. * * * Asthma * * * great relief may be had * * * by rubbing Rising Mist on back from neck to hips and over chest and throat * * * Bronchitis * * * Rising Mist used for Muscles and Tissues and Skin Troubles * * * valuable in reducing inflammations and congestions. Rheumatism * * * Or Any Kind Of Body Pains * * * For Pain Greatest Relief For Any Kind Of Pain * * * Earache * * * Neuralgia * * * Piles * * * Whooping Cough * * * Neuritis * * * Stiff Neck * * * For Pain For Treatment Of Pain * * * Its action is longer, more penetrating, and effective. For Lame Back * * * Stiff Joints * * * Rheumatism * * * Boils * * * Sore Throat, Tonsillitis * * * La Grippe * * * Sore Feet. For Sore * * * massage feet with Rising Mist * * * Distemper * * * Roup in Fowls * * * Pneumonia in Horses * * * Pneumonia * * * cover the chest * * * all the affected parts with a thick layer of Rising Mist * * * Repeat Application * * * until fever is reduced," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16256. Misbranding of Borine. U. S. v. 25/6 Dozen Medium-Sized Bottles, et al., of Borine. Default decrees of condemnation, forfeiture, and destruction. (P. & D. Nos. 21982, 21983, 21984. S. Nos. 13, 19, 20.)

On July 27, 1927, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 13½ dozen bottles, small size, 5½ dozen bottles, medium size, 1½ dozen bottles, large size, and ¼ dozen bottles, magnum size, of Borine at Newark, N. J., alleging that the article had been shipped by the Borine Manufacturing Co., New York, N. Y., in various consignments, on or about February 28, April 28, and June 17, 1927, respectively, and had been transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of boric acid (2.0 per cent), a small amount of glycerin, alcohol (20.4 per cent), and water flavored with essential oils. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libels that the article was misbranded in that the statements upon the carton, to wit, "Antiseptic. The alkalinity of Borine average about 0.108% expressed as sodium carbonate," were false and misleading in that the said article was not an antiseptic and contained no sodium carbonate nor other alkali. Misbranding was alleged for the further reason that the following statements, borne on the label, regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination thereof capable of producing the effects claimed: (Carton) "Avoid colds, sore throat, and contagious diseases. A Clean mouth insures good health—Borine insures a clean mouth * * *. A Penetrating Healing * * * Antiseptic * * *. You will find sound teeth, healthy gums * * * and good health are produced and maintained by the daily use of Borine Antiseptic Mouth-Wash * * * stops decay of food particles lodged about the teeth, prevent soreness of the gums and mouth * * *. For A Douche: Dilute one to two tablespoonfuls of Borine in a pint of warm water. Borine is an excellent remedy for the treatment of vaginal catarrh, leucorrhea, and other inflammatory conditions of the vagina and uterus, cleansing the inflamed membranes from all irritating and ill-smelling discharges, stimulating and toning it to a normal condition;" (circular) "The Bridge To Good Health Borine * * * Healing Antiseptic Prevents Colds and all Throat Trouble * * * prevents dandruff * * * Prevents colds and sore throat."

On July 9, 1928, and September 4, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16257. Misbranding of Thompson grippe and cold tablets. U. S. v. 111 Wholesale Cartons of Thompson Grippe and Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23415. I. S. No. 07779. S. No. 1610.)

On February 15, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 111 wholesale cartons, each containing 10 retail packages of Thompson grippe and cold tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Owl Drug Co., from San Francisco, Calif., on or about January 8, 1929, and had been transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of quinine (0.23 grain per tablet), camphor, extract of glycyrrhiza, sugar, and talcum.

It was alleged in the libel that the article was misbranded in that the following statements were false and fraudulent: (Label) "Grippe * * * Tablets Employed in the treatment of Hay Fever, Influenza, La Grippe, etc., and for the relief of the feverish aching condition and pains that usually accompany the same. Directions—Take one tablet every hour during the day until relieved. Repeat next day if necessary;" (carton) "Grippe * * * Tablets employed in the treatment of Hay Fever, Influenza, La Grippe, etc., and for the relief of the feverish aching condition and pains that usually accompany the same."

On March 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16258. Misbranding of P and R chlorine bombs. U. S. v. 11 Cartons of P and R Chlorine Bombs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23416. I. S. No. 07714. S. No. 1582.)

On February 15, 1929, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cartons of P and R chlorine bombs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the National Research Corporation, from San Francisco, Calif., on or about June

27, 1928, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained 0.35 gram of chlorine per ampul.

It was alleged in the libel that the article was misbranded in that the statements on the carton, "Is positively not poisonous in any way to the human system" and "Absolutely harmless," were false and misleading. Misbranding was alleged for the further reason that the statements on the carton, "Use for Influenza, Bronchitis, etc." and "For Best Results Use One Bomb Upon Retiring And The Other The Following Morning," were false and fraudulent.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16259. Misbranding of Grains of Health. U. S. v. 45 Cans of Grains of Health. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21467. I. S. No. 5099-x. S. No. E-5912.)

On December 17, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 45 cans of Grains of Health, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Grains of Health Products Co., from Wheeling, W. Va., on or about November 27, 1926, and transported from the State of West Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of roasted coffee, chicory, and a starchy material, probably of a cereal or leguminous origin. It contained 0.45 per cent caffeine.

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article were false and misleading: (Package) "Similar to coffee in taste and flavor;" (circulars) "Even the choicest brands and blends of coffee contain Caffeine and Tannin in quantities which are generally acknowledged as being harmful ingredients, producing nervousness, headaches, insomnia, etc. The great majority of Physicians, Dentists, and Nerve Specialists now advise against the use of coffee on account of its harmful effects * * *. As a result, this 'Healthified Coffee' satisfies those loving the taste and flavor of coffee as well as those who cannot drink coffee without suffering ill effects * * *. Persons who cannot or dare not drink coffee on account of the harmful effects * * *. Persons who cannot drink coffee and do not like the taste of cereal coffees or imitations * * *. Better than coffee because it completely satisfies the coffee desire, is highly nutritious, and does not produce harmful effects." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination thereof capable of producing the effects claimed: "Health * * *. Grains of Health * * *, Healthified Coffee. It can be served without hesitation to the sick, young, or old, to those troubled with indigestion, constipation, improper assimilation, and headaches, with the same beneficial results * * *. Persons troubled with rifting, heaviness, bloating after eating. Grains of Health tends to keep the gas from the stomach. Persons who are unable to eat certain kinds of food or food which they like on account of indigestion or other disagreeable results. Such foods can be eaten freely when using Grains of Health. Persons troubled with constipation or piles or those who have to resort to laxatives continually * * *. Persons continually troubled with severe headaches. Persons sick with fever and in many cases where water, milk, or cocoa cannot be given, Grains of Health will always agree with them. Persons who cannot distinguish tastes, all foods seeming to be alike to them. Persons troubled with kidney disorders or too frequent urinations. Persons having weak or lost appetite. Grains of Health creates a desire for the proper foods needed by the system. Persons who do not derive the proper strength from their foods. Grains of Health aids proper assimilation. Persons who do not or cannot eat in the morning on account of nausea or unsettled stomach * * * positive benefit * * *. I am very glad to recommend Grains of Health to all coffee drinkers who value good health. * * * has a beneficial effect upon chronic and obstinate constipation—a very troublesome

complication of many chronic conditions * * * a really valuable therapeutic adjuvant * * *. There can be no question that coffee taken habitually will cause many evidences of disease, particularly of the nervous system, and to substitute your excellent beverage for this drug is a great step forward towards a better and healthier race * * *. Recommended to coffee lovers everywhere, and especially to persons troubled with headaches, indigestion, gastritis, constipation, nausea, and weak or lost appetite."

On March 18, 1927, the Grains of Health Products Co., Wheeling, W. Va., entered an appearance as claimant for the property and filed a demurrer and answer to the libel. On March 22, 1929, the case having been set for trial on that date and the United States attorney having been advised by all interested parties that there would be no contest, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16260. Misbranding of Cre Sot Rub. U. S. v. 2 Dozen Packages of Cre Sot Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23471. I. S. No. 04301. S. No. 1669.)

On February 26, 1929, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 dozen packages of Cre Sot Rub at Richmond, Va., alleging that the article had been shipped by the Drain Chemical Co., Baltimore, Md., on or about October 2, 1928, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the ointment contained creosote, eucalyptol, turpentine, oil, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, (jar top) "Inflammations," (jar label) "Pneumonia * * * rub Cre-Sot in thoroughly, spread plenty * * * then wrap chest in absorbent cotton or flannel allowing vapor to get to nose and mouth to be inhaled. Repeat every 4 hours until breathing is not so rapid and patient feels better. * * * Coughs, Tonsillitis, and Sore Throat * * * Spasmodic Croup * * * Whooping Cough, Bronchitis, Asthma, Catarrh, Rub Cre Sot on neck and inhale vapor same as in croup * * * Rheumatism rub into parts affected," (carton) "Pneumonia, Croup, Coughs, Bronchitis, Swellings, Neuralgia * * * Eczema, Enlarged Glands, Rheumatism, Catarrh, Tonsillitis, Sore Throat, Whooping Cough, Itching Piles, Asthma, Boils, Inflammations * * * Internally inhaled, the vapors * * * relieves labored and tight breathing," (circular) "First Aid Treatment In Many Conditions of Congestion And Inflammation * * * Tubercular Glands And Glandular Swellings, Cre-Sot Has A Wonderful Effect. Take a piece the size of a pea and rub over the glands gently, but thoroughly, for two to five minutes and repeat that night and morning. Pulmonary Tuberculosis or Tuberculosis of Lung and Night Sweats * * *. You can be helped by the use of Cre-Sot as follows: Dissolve teaspoonful of Salve to half pint hot water. Add enough sugar to make one pint. When cool strain and put in bottle. Shake well and take teaspoonful every two hours. Rub Salve on chest night and morning. Pneumonia * * * rub Cre-Sot Salve in the skin thoroughly * * * allowing the vapor to get to the nose and mouth to be inhaled. This should be repeated every four hours until breathing is not so rapid and patient feels better * * *. Asthma, Rub plenty of Cre-Sot on chest and neck * * *. Take some internally by letting a small piece, size of a pea, dissolve on tongue. Bronchitis. Apply Salve to chest and neck. Rub in well. Put teaspoonful Salve to half pint hot water. Add enough sugar to make one pint. When cool strain and take teaspoonful every two hours. Catarrh * * * Children's * * * Cough * * * Cre-Sot * * * should be kept on hand so you may have a splendid guardian of the children * * * rub it in * * * over chest and back, also neck, back, and front; rub a little on forehead and up nostrils * * *. Sore Throat, Tonsillitis, and Loss of Voice or Hoarseness * * *. Take same internally same as in Bronchitis * * * Whooping Cough * * * Rub Cre-Sot in the skin over chest and neck night and morning. Put small piece * * * on tongue three times a day and give liquid same as Bronchitis * * *. For the use of Cre-Sot in the treatment of inflammation and congestion of the tissues, skin, and muscles * * * Earache

and Toothache. Place a little Cre-Sot on a piece of cotton and insert in ear or tooth * * *. Neuralgia. Rub Cre-Sot well in * * * Soreness And Rheumatism. * * * apply Cre-Sot * * * Roup in Chickens Horses and Dogs with Distemper. Rub freely Cre-Sot in the nostrils and on the throat and between the jaw bones. Horses with Pleurisy or Pneumonia. Rub Cre-Sot freely over chest and insert liberally in nostrils every three or four hours," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients effective in the treatment of disease or the prevention thereof.

On April 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16261. Misbranding of Nox-Mal-A. U. S. v. 9 Packages of Nox-Mal-A. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23470. I. S. No. 04303. S. No. 1682.)

On February 26, 1929, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 packages of Nox-Mal-A at Richmond, Va., alleging that the article had been shipped by the Savodine Co., New Bern, N. C., on or about September 14, 1928, and transported from the State of North Carolina into the State of Virginia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate (51.3 grams per 100 c. c.), quinine salt (equivalent to 0.96 gram per 100 c. c.), and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For Chills, Fever * * * Makes Blood Builds Body * * * For * * * LaGrippe * * * Neuralgia. One tablespoonful * * * Repeat as needed," (carton) "Chills, Fever * * * & LaGrippe * * * Makes Blood Builds Body * * * For * * * LaGrippe * * * and Neuralgia," (circular) "For Chills and Fever * * * and LaGrippe * * * Makes Blood Builds Body This preparation was gotten up * * * to drive malaria from the system * * *. Its action on the liver is perfect * * *. To secure the best results the tonic dose should be taken for some time after chills and fever have been relieved. Nox-Mal-A * * * aids digestion and debilitated persons will soon feel its helpful effect. In chronic cases or severe types of fever more than one bottle should be taken. * * * For * * * LaGrippe * * * Neuralgia," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On April 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16262. Misbranding of Munyon's grippe remedy. U. S. v. 9 Packages of Munyon's Grippe Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23448. I. S. No. 03609. S. No. 1595.)

On February 23, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 packages of Munyon's grippe remedy, remaining in the

original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Munyon Remedy Co., Scranton, Pa., on or about January 29, 1929, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sugar and a trace of arsenic.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article appearing on the bottle label and carton, (bottle label) "Grippe Remedy * * * Prepared for checking the discharges from the nose and eyes, for relieving the throat and lung symptoms, and for allaying the inflammation and fever. Directions—Take four pellets every half hour until relieved," (carton) "Grippe Remedy * * * Munyon's Grippe Remedy Prepared for checking the discharges from the Nose and Eyes, for relieving the Throat and Lung Symptoms, and for allaying the Pains, Soreness, Fever, Nervousness, and Weakness of Grippe," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions therein named.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16263. Misbranding of Bronchulets. U. S. v. 1½ Dozen Packages of Bronchulets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23463. I. S. No. 07933. S. No. 1633.)

On February 23, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1½ dozen packages of Bronchulets, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the International Laboratories, Rochester, N. Y., alleging that the article had been shipped from Rochester, N. Y., on or about December 12, 1928, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the articles by this department showed that it consisted essentially of acetanilide (0.93 grain per tablet), quinine sulphate (0.40 grain per tablet), camphor, and extracts of laxative plant drugs.

It was alleged in the libel that the article was misbranded in that the following statements borne on the bottle label, "Bronchulets for * * * La Grippe, Influenza * * * Neuralgia," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16264. Misbranding of Eagle menthol inhaler. U. S. v. 59 Dozen Tubes of Eagle Menthol Inhaler. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23366. I. S. No. 03321. S. No. 1523.)

On February 4, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 59 dozen tubes of Eagle menthol inhaler, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the

Eagle Druggists Supply Co., from New York, N. Y., on or about January 18, 1929, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained menthol, approximately $2\frac{1}{2}$ grains per tube.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (label) "Relieves Instantly Asthma, Influenza, Neuralgia * * * Catarrh, Hay Fever, Sore Throat, Headache, etc.," (display carton) "Relieves * * * Influenza, Hay Fever, Sore Throat, Headache, Asthma, Catarrh * * * Recommended by Physicians," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16265. Misbranding of Allenrhu. U. S. v. 6 Dozen Bottles of Allenrhu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23343. I. S. No. 03421. S. No. 1468.)

On January 28, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 6 dozen bottles of Allenrhu, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Alle-Rhume Remedy Co., from Rochester, N. Y., on or about July 6, 1928, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium phosphate and sodium sulphate, small amounts of sodium salicylate and free acid, and water, flavored with licorice and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For Rheumatic Aches and Pains When Not Due to Infection. Has Been Found Helpful in Lumbago, Sciatica, Neuralgia, and Neuritis," (blown in bottle) "For Rheumatic Aches and Pains," (carton, English and foreign languages) "An Advanced and Improved Preparation For the Treatment of Acute Rheumatism, Lumbago, Rheumatic Neuritis," (circular) "When you want to get rid of Rheumatism (not caused by infection) * * * Allenrhu. Will help you correct this * * *? Is your rheumatism caused by infection? * * * the man or woman who has acute rheumatism is the person most concerned with getting rid of it. How to get rid of the pain, the swelling, the inflammation, the agony, and how to prevent its returning after it is apparently conquered is what the sufferer wants to know. There are a few common-sense, very simple rules to follow if rheumatism is to be driven out of the system. If these rules are followed when Allenrhu is being taken, the chances of overcoming this trouble in a shorter period of time is enhanced. Allenrhu is a medicine compounded in such a manner that experience of years shows that it has a helpful influence over acute rheumatism * * *. Many rheumatic sufferers are sad and depressed and it is hard to blame them for it * * *. It isn't absolutely necessary to follow these rules when taking Allenrhu and very few people do follow them but right living helps, as every doctor will tell you, and if you can shorten the duration of the attack by doing all you can to help, it is, of course, for your own good * * *. As a general rule, Allenrhu (liquid) will be found sufficient for all ordinary cases of acute Rheumatism," (poster) "Never Fails to End Rheumatism—Neuritis," (poster) "Rheumatism—Neuritis Banished Forever," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and

create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16266. Misbranding of uterine Catholicon. U. S. v. 4 Dozen Bottles of Uterine Catholicon. Default decree of destruction entered. (F. & D. No. 22965. I. S. No. 0502. S. No. 945.)

On August 21, 1928, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 dozen bottles of uterine Catholicon, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Graefenberg Co., from Newburgh, N. Y., on or about May 3, 1928, and transported from the State of New York into the State of Utah, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium sulphate (1.4 per cent), extracts of plant drugs, including aloe, alcohol (11.3 per cent), and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Label) "Uterine Catholicon * * * Keep the mind placid. Avoid hard labor or lifting, also much exercise, either standing or walking, and keep the body a good deal in a recumbent position. Use friction with cold water about the hips and back every morning * * *. The Catholicon is designed for treatment in all cases of Uterine or Monthly Trouble attended by any of the following symptoms: Deranged Monthly Periods—Irregularities and Headache, Sallow Complexion, Leucorrhoea (Whites), Dizziness, Deranged Appetite, Faintness, Acid Stomach, Pain in Kidneys, Weakness, Nausea, Bloatings, Nervousness, Indigestion, Chills, Flatulence, Irregular Bowels, Feverishness, Constipation, Burning or Irritation in Uterine Organs when due to Deranged or Irregular Monthly Periods. Pregnant Women are recommended to use Graefenberg Uterine Catholicon during the entire period of pregnancy. During the critical time of Change in Life, Catholicon is also strongly recommended * * *. The value of the medicine does not consist in the quantity taken, but in its healthful action upon the whole system;" (wrapper) "Uterine Catholicon. On the bottle label are directions for its use in the treatment of Female Weaknesses, such as Irregular, Suppressed, or Painful Menstruation, Leucorrhoea (Whites), Disorders incident to Pregnancy and during the period of Change of Life;" (circular) "Graefenberg 'Marshalls' Uterine Catholicon * * *. None of our products are formulated or offered as 'Cure-alls.' But we do make honest preparations, each one of which is designed to be of aid to those suffering from the complaints for which they are recommended. * * * Preparedness is Half The Battle. Learn to take care of troubles when they first start and you may be saved many a dreary day for 'A stitch in time saves nine.' Many a slight ailment which might have readily yielded to treatment, if applied in time, has developed into a chronic condition through neglect. But even in such cases we may, through our preparations, alleviate the trouble and render real help to the sufferer. However, if after a fair trial, satisfactory results are not obtained or when complications are present, we advise recourse to your physician. Graefenberg Uterine Catholicon. This preparation is formulated and prepared for treatment of the derangement of Women commonly known as 'Female Complaints' and we recommend its use in all cases of Uterine or Monthly Troubles attended by any of the following symptoms: Deranged Monthly Periods and Headache, Dizziness, Faintness, Weakness, Nervousness, Chills, Feverishness, Sallow Complexion, Deranged Appetite, Acid Stomach, Irregularities, Nausea, Indigestion, Bloatings, Flatulence, Constipation, Leucorrhoea (Whites), Burning or Irritation in Uterine Organs, Pain in Kidneys, Irregular Bowels, when due to deranged or irregular monthly periods. The above-mentioned symptoms are seldom or never all present in any one case, but one or more of them generally accompany local uterine difficulties and should be recognized as warnings that the general system is sympathizing with and becoming debilitated by the local trouble. Pregnant Women are recommended to use Graefenberg Catholicon

during the entire period of pregnancy to alleviate the troublesome complications which frequently appear at this time * * *. Again, during the critical period of Change of Life, so often attended by distressing complications, recourse to Graefenberg Catholicon is strongly recommended. Many women who have used Graefenberg Catholicon will tell you of the benefits they have derived from its use * * *. I got a bottle of Uterine Catholicon some months ago; I was very weak and it was used with great benefit * * *. Have suffered for five years from painful menstruation, took two bottles of Catholicon and it so greatly improved me that I feel it my duty to write and thank you for your wonderful medicine. I think it a woman's blessing."

In November 17, 1928, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16267. Misbranding of Allenrhu. U. S. v. 23 Bottles of Allenrhu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23345. S. No. 1453.)

On January 28, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 bottles of Allenrhu, remaining in the original unbroken packages at Boston, Mass., consigned about December 14, 1928, alleging that the article had been shipped by the Kells Co., Newburgh, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium phosphate and sodium sulphate, small amounts of sodium salicylate and free acid and water, flavored with licorice and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "For Rheumatic Aches and Pains When Not Due to Infection. Has been found Helpful in Lumbago, Sciatica, Neuralgia, and Neuritis," (blown in bottle) "For Rheumatic Aches and Pains," (carton, English and foreign languages) "An Advanced and Improved Preparation for the Treatment of Acute Rheumatism, Lumbago, Rheumatic Neuritis," (circular) "When you want to get rid of Rheumatism (not caused by infection) * * * Allenrhu Will help you correct this * * * ? Is your rheumatism caused by infection? * * * The man or woman who has acute rheumatism is the person most concerned with getting rid of it. How to get rid of the pain, the swelling, the inflammation, the agony, and how to prevent its returning after it is apparently conquered is what the sufferer wants to know. There are a few common sense, very simple rules to follow if rheumatism is to be driven out of the system. If these rules are followed when Allenrhu is being taken, the chances of overcoming this trouble in a shorter period of time is enhanced. Allenrhu is a medicine compounded in such a manner that experience of years shows that it has a helpful influence over acute rheumatism * * *. Many rheumatic sufferers are sad and depressed and it is hard to blame them for it * * *. It isn't absolutely necessary to follow these rules when taking Allenrhu and very few people do follow them, but right living helps, as every doctor will tell you, and if you can shorten the duration of the attack by doing all you can to help, it is, of course, for your own good * * *. As a general rule, Allenrhu (liquid) will be found sufficient for all ordinary cases of acute Rheumatism," (mouth of bottle label) "For Rheumatic Aches & Pains," (poster) "Never Fails to End Rheumatism—Neuritis," (poster) "Rheumatism—Neuritis Banished Forever," (poster) "Rheumatism Leaves You Forever," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16268. Misbranding of Draper's Rub. U. S. v. 25 1/6 Dozen Packages, et al., of Draper's Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23517. I. S. No. 0885. S. No. 1680.)

On March 12, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 $\frac{1}{6}$ dozen medium-sized packages and 19 dozen large-sized packages of Draper's Rub, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Memphis Chemical Co., Memphis, Tenn., in part on or about November 17, 1928, and in part on or about December 4, 1928, and transported from the State of Tennessee into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a fatty base containing menthol, camphor, turpentine, and methyl salicylate.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (jar label) Flu & Pneumonia Salve * * * Croup, Pneumonia Asthma * * *. It brings blood to congested parts of the body almost instantly. Where Pneumonia is threatened * * * rub chest, back, throat, neck, back of neck * * *, allow small amount of the 'Rub' to dissolve in the mouth, repeat every two or three hours until patient's breathing becomes easy * * * Croup * * * relief must be instant * * * Asthma, Hay fever," (carton) "Flu & Pneumonia-Salve, Croup, Pneumonia, Asthma * * * Humanity's * * * Panacea powerful in action * * * in treating * * * following: Flu, Pneumonia, Pleurisy, Catarrh, Hay Fever * * * Croup, Tonsillitis, Bronchitis, Sore Throat * * * Penetrating," (circular) "Penetrating * * * Panacea * * * Flu and Pneumonia Salve * * * in treating the following: Flu, Pneumonia, Asthma, Pleurisy, Catarrh, Hay Fever, Croup, Tonsillitis, Bronchitis, Sore Throat, * * * Rheumatism (Muscular) * * * Lives were saved * * * Draper's Rub * * * is what did the work. * * * Draper's Rub saved the life of my little boy twice, if not 3 times. The child had pneumonia three times. A very large lady had double pneumonia * * * decided * * * to give Draper's Rub a trial. Within 12 hours she was very much better and was completely restored to health within a short while. * * * Pneumonia * * * Flu—Pneumonia—Pleurisy * * * Measles * * * Spasmodic Croup * * * Place * * * Draper's Rub * * * Tonsillitis * * * Bronchitis Hot Applications on cloth over parts affected will assist greatly in relieving any bronchial trouble * * * Headache. Breathing hot vapors and massaging the head well with Draper's Rub does the work * * *. Flu—Pneumonia—Pleurisy. We find that treating these diseases with Draper's Rub as an external application and as an inhalant that the patient will rest better and recover more quickly * * * Measles—Pneumonia. Most wonderful results have been obtained by using Draper's Rub on very small children as well as youths and adults * * *. Cough. Place a small piece on tongue * * * and let dissolve in the throat. This will usually relieve coughing for at least 45 minutes. Catarrh * * * Hay Fever * * * Whooping Cough Draper's Rub is very effective," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 24, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16269. Misbranding of Si-Nok. U. S. v. 11 Dozen Packages of Si-Nok. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23364. I. S. No. 01708. S. No. 1504.)

On February 5, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Si-Nok at Cincinnati, Ohio, alleg-

ing that the article had been shipped by the Si-Nok Co., from Indianapolis, Ind., on or about January 21, 1929, and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil, containing turpentine, eucalyptus, and sassafras oils, menthol, and camphor.

The article was labeled in part: (Bottle) "Si-Nok has no superior in cases of * * * catarrh, sinus trouble, hay fever, asthma, and all diseases of the air passages * * *. In cases of * * * chronic condition of nasal trouble, use very liberally and often at start of treatment. Best results are obtained by using it often and regularly;" (carton) "Si-Nok, A Scientific Preparation for Sinus Troubles, Catarrhal Conditions of the Mucous Membrane, Hay Fever, Asthma, La Grippe, Influenza * * * Especially Recommended for Diseases of the Nose * * *. It is insurance against infected conditions of the nose and throat. Si-Nok should be in the toilet kit of every * * * person whose nostrils are constantly being exposed to dust and germ laden air;" (circular) "Si-Nok to Guard Your Nose and Throat, Si-Nok is a scientific preparation that has achieved remarkable results in the relief of these infected nasal conditions * * * Coughs * * *, etc. The air we breathe is full of dust particles which carry the germs of many dangerous and contagious diseases. Fortunately, many of the germs are thrown off with the nasal secretions. Some of them, however, frequently find a lodging place on the moist and delicate membranous linings of the nose and throat, where they set up an irritation or infection that affects the normal secretion of the mucous membranes and cause colds, coughs, and often more serious diseases. Sinus Trouble. This swollen and inflamed condition of the membrane often results in a stoppage of the nasal passages, and breathing through the nose becomes difficult or even impossible. The nose being the drainage canal for the mucous and watery secretions of the neighboring cavities of the head, this stoppage also serves to prevent the drainage of these cavities and thus causes sinus trouble. Two ounces of Prevention. Keep a bottle of Si-Nok in your medicine cabinet and traveling bag. Use it two or three times a day. It is insurance against infected conditions of the nose and throat. Si-Nok should be in the toilet kit of * * * every person whose nostrils are constantly being exposed to dust and germ laden air. Si-Nok Relieves Nasal Infections. The importance, therefore, of guarding the nose and throat against the inroads of these infections can hardly be overestimated. It is for the prevention and the relief of all such nasal conditions, including Sinus Troubles, Hay Fever, Catarrhal condition of the Mucous Membranes, Asthma, La Grippe, influenza * * *, etc., that Si-Nok has been developed. Si-Nok spreads itself over the entire mucous membrane surface in a thin film * * * healing the infected and irritated parts. It is quick relief in all infected nasal conditions. Nasal Catarrh is one of the most common and most annoying of minor ailments. It is caused by an excessive secretion of irritated mucous, accompanied by chronic inflammation. By * * * healing this irritated condition of the mucous membrane Si-Nok gives speedy relief. Hay Fever, Asthma, Influenza, Etc. Hay Fever germs (pollen grains) are always prevalent during their season and find the weakened, irritated nasal mucous membrane an ideal lodging place. Just because you may never have suffered from Hay Fever does not mean that you are immune to it. Anyone who permits chronic colds or catarrhal conditions to weaken the mucous membrane is inviting a case of Hay Fever. Si-Nok with its * * * healing action increases the resistance to Hay Fever and prevents attacks. It also relieves the acute discomfort caused by this ailment. Si-Nok has also proven beneficial in cases of asthma, influenza, and La Grippe by relieving irritation * * *. Keep your Head Clear with Si-Nok, Germs are constantly being taken into the nose. A few drops of Si-Nok twice a day will destroy these germs before they start their destructive and deadly work. Guard your nose and throat with Si-Nok * * *. In cases of * * * chronic condition of nasal trouble or hay fever use very liberally and often at start of treatment. Best results are obtained while patient lies on back with head lower than body so medicine can run deep into the cavities."

It was alleged in the libel that the article was misbranded in that the labels on the bottles and cartons, and the circulars contained in said packages bore statements, as above quoted, regarding the curative and therapeutic effects of the said article, which were false and fraudulent in that the article contained

no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 23, 1929, the Si-Nok Co., Indianapolis, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16270. Misbranding of cold and grippe tablets. U. S. v. 9 Dozen Packages of Cold & Grippé Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23432. I. S. No. 03676. S. No. 1636.)

On February 18, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 dozen packages of cold and grippe tablets, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the Commerce Drug Co., Brooklyn, N. Y., on or about January 25, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide (0.9 grain per tablet), cinchona alkaloids, capsicum, camphor, podophyllum, aloin, and traces of the alkaloids of belladonna and of aconite.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, (shipping package) "Grippe Tablets," (carton) "Grippe Tablets * * * For La Grippe * * * for the treatment of * * * Catarrh, Bronchitis, Laryngitis, etc. Associated conditions such as * * * feverishness, aches and pains are usually relieved by one or two doses. * * * produces a stimulating effect upon the system," (circular) "These tablets * * * relieve the * * * feverish condition * * * accompanying * * * Grippe, Coughs, Acute Catarrh, Bronchitis, Neuralgia, etc. Two or three doses * * * are generally sufficient. The bowels are caused to move * * * carrying off the offensive bowel contents * * * which is largely responsible for the infection. The sluggish liver is stimulated to normal healthy action and a feeling of general well-being is established. A habit of daily bowel evacuation is created, so essential to bodily health * * *. Two tablets every three or four hours until the desired effect is produced, the cough relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16271. Misbranding of Nash's croup and pneumonia salve. U. S. v. 1 Case of Nash's Croup and Pneumonia Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23365. I. S. No. 01709. S. No. 1505.)

On February 5, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 case of Nash's croup and pneumonia salve at Cincinnati, Ohio,

consigned by Nash Bros. Drug Co., Jonesboro, Ark., alleging that the article had been shipped from Jonesboro, Ark., on or about February 28, 1922, and transported from the State of Arkansas into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum, containing small amounts of menthol, camphor, sassafras oil, and pine or turpentine oil.

The article was labeled in part: (Jars) "Croup, Pneumonia Salve * * * Coughs, Sore Throat, Etc. * * *. Directions: Croup. Apply up the nose and with the hand rub the Salve over the chest and throat allowing the child to inhale the vapors freely till the difficult breathing is relieved, then cover the chest with warm flannel. Pneumonia. Apply hot towels for five minutes to chest, throat, and back, then apply salve thickly to parts affected and cover with warm white flannel cloths. Apply every hour till fever cools * * *. Sore Throat, Tonsillitis, and Coughs. Apply as for croup, but swallow a small amount of the salve the size of a pea. In severe cases use hot flannels. Catarrh, Cold in Head, and Whooping Coughs, melt in spoon and inhale the vapors. Apply up the nose. For piles * * * apply to affected parts;" (carton) "Croup & Pneumonia Salve Applied externally, acts both externally and internally, as it is absorbed and inhaled. * * * causing the loosening of Spasmodic Croup, Coughs * * *. Used as an aid in Treating Congestion and Inflammation such as Croup (Spasmodic) * * * Coughs, Catarrh, Sore Throat, Asthma, Bronchitis * * * Hay Fever * * * Piles, Boils, Tonsillitis, Pneumonia;" (circular) "Croup and pneumonia Salve * * * External—This preparation will be found useful in treating all inflammations externally, also very valuable in * * * headache, pains in joints, stiffness, neuralgia, colic, and similar diseases * * *. Croup * * * Rub Nash's Salve freely over chest and throat, then apply flannel covered with Salve. In extreme cases, give internally a small piece about the size of a pea. Arrange bed-clothing so the child will inhale the vapors during the night. Symptoms—Pneumonia and Influenza—Keep the bowels open with Nash's Liver Pills and use the salve in abundance on hot cloths (flannel) covering both the back and chest, after rubbing in well with the hand. To get the best results you should first open the pores of the skin with hot towels applied to the back and chest. Repeat the treatment every two or three hours until the fever is reduced. Catarrh * * * Hay Fever—First melt a small quantity of Nash's salve in a spoon and inhale the vapors—then apply well up each nostril three or four times a day and upon retiring. Asthma—We do not claim Nash's as a cure for Asthma, but many users claim they are relieved by rubbing the spinal column from hips to the neck with the salve, then applying to chest and throat and up the nostrils. Coughs—Whooping Cough—Sore Throat—Apply to chest and throat and take internally one-fourth teaspoonful of melted salve and swallow slowly. Rheumatic Pains—Stiff Neck—Headaches—Swollen Joints, etc. Apply Nash's Salve vigorously for several minutes, then apply hot towels and repeat until relieved * * *. Piles * * *. Distemper in Horses or Dogs—Rub on throat and between jawbones and apply freely up the nostrils, also melt and have animals inhale vapors."

It was alleged in the libel that the article was misbranded in that it contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the above-quoted statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchaser and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named.

On March 26, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16272. Misbranding of Dr. M. Hermance's asthma and hay fever medicine.
U. S. v. 2¼ Dozen, et al., Bottles of Dr. M. Hermance's Asthma and Hay Fever Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23361. I. S. No. 05779. S. No. 1512.)

On February 6, 1929, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2¼ dozen \$1.00 size bottles and ½ dozen \$5.00 size bottles

of Dr. M. Hermance's asthma and hay fever medicine, remaining in the original unbroken packages at Concord, N. H., alleging that the article had been shipped by C. A. Bell, from Lowell, Mass., on or about January 5, 1929, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, extracts of plant material, including licorice, alkaloids of lobelia, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the label, "This medicine contains nothing injurious to the most delicate constitution," regarding the said article was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (label) "Dr. M. Hermance's Asthma and Hay Fever Medicine * * *. These distressing ailments have in this prescription a prompt and effective remedy for relief. (Design of bell) Dr. M. Hermance's Asthma Medicine. Directions * * *. For asthma, first two days, one-half teaspoonful four times a day after meals and on retiring, then increase * * *. If you have a bad attack, take the medicine every twenty minutes, increasing each dose until relieved * * *. Hay fever * * *. You should start the treatment six weeks before period * * *. For Bronchial Troubles * * *. For All Catarrhal Troubles * * *. For Coughs * * *. Influenza. Special Directions. This medicine * * * should be taken in doses sufficiently large to arrest the paroxysm and enable the person to breathe perfectly free. When the dose prescribed on the label fails to produce entire relief, repeat the dose every fifteen or twenty minutes, increasing the quantity each time until full relief is secured * * *. Use Hermance's Asthma and Hay Fever Medicine as directed, otherwise the good effects of a good medicine may be lost," (strip label on neck of bottle) "To break an attack of Asthma take every 15 or 20 minutes, increasing each dose until relieved," (carton) "Dr. M. Hermance's Asthma and Hay Fever Medicine * * *. These distressing ailments have in this prescription a prompt and effective remedy for relief * * *. Brings quick relief to sufferers from asthma and hay fever * * *. This Medicine is a Body Builder, also used for Catarrhal, Bronchial, and Heart Trouble with Best of Results. Good for the Whole Family for Coughs * * *. Flu, and All Bronchial Troubles," (circular enclosed in display carton) "That Terrible Disease Asthma, so long considered incurable, is invariably relieved by the use of Dr. M. Hermance's Asthma and Hay Fever Medicine. A medical compound, which, when properly and perseveringly used, seldom fails to give relief. It is (Emphatically) the Medicine that should be in the possession of every person afflicted with that Disease; as it relieves at once the difficulty of breathing and sense of suffocation that constitute the characteristic symptoms of that disease. And by continuing its use daily between the paroxysms it removes, by its alterative influence, that morbid condition upon which the disease depends. Many persons make a great mistake in taking this Remedy for the Asthma. 'Acting upon the belief that it cannot be cured,' they leave off taking the medicine as soon as relieved and resort to it again only as an attack of the suffering returns; thus getting only relief, when by continuing the Medicine as directed, they could not only lengthen the period between the attacks, but break them up altogether. The Effects of Dr. M. Hermance's Asthma and Hay Fever Medicine are very different from the many so-called cures for these diseases, which are merely anti-spasmodics, sedatives, etc., and at best give but temporary relief. Hermance's Asthma and Hay Fever Medicine, by acting through the Blood, builds up the Constitution and restores the Nervous System to a normal condition, thus effecting a recovery. In some cases, when the disease is of long standing or complicated with other maladies, a longer time than usual is required in which to overcome the severity and stubbornness of the disease. Of course, in performing this work a little time and perseverance is required to bring the system fully under the effects of the Remedy, but once this is accomplished the improvement is rapid and certain. Hundreds can testify to the curative powers of this Medicine over Asthma. If suffering from the disease, procure a bottle and test it for yourself. This medicine tends to improve the Blood and build up the body, and is good for Catarrhal troubles * * *. Directions. * * * for Asthma first two days, one-half teaspoonful four times a day after meals and on retiring, then increase the dose * * *. If you have a bad attack take the medicine every twenty minutes, increasing each dose till relieved.

Dose for Child.—You should take this medicine four times a day, whether your asthma is troubling you or not, till you are sure that you are free from the attacks of asthma. Bad cases of long standing should take this medicine * * *. Hay Fever * * *. You should start treatment six weeks before period. For Coughs * * * Influenza * * *. For Bronchial Troubles * * *. For all Catarrhal Troubles * * * use Hermance's Asthma and Hay Fever Medicine as directed, otherwise the good effects of a good medicine may be lost. (On the design of a bell) Dr. M. Hermance's Asthma Medicine," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and that the same were applied to the articles knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of purchasers thereof the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 27, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16273. Misbranding of Blood-Tonik. U. S. v. 70 Pounds, et al., of Blood-Tonik. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23265, 23266. I. S. Nos. 05321, 05322. S. Nos. 1355, 1356.)

On December 26, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 168 pounds of Blood-Tonik at Chicago, Ill., alleging that the article had been shipped by the Dr. David Roberts Veterinary Co., from Waukesha, Wis., in part October 20, 1928, and in part November 22, 1928, and transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium chloride (14.5 per cent), magnesium sulphate (9.56 per cent), calcium carbonate (14.7 per cent), phosphates, borax, phenols, sulphur, anise and other plant material, bran, and starch.

It was alleged in substance in the libels that the article was misbranded in that the following statements regarding its curative or therapeutic effects, borne on the package and label, "How to know Blood Diseases in Your Herd. It is perfectly natural for every healthy cow or heifer to conceive when bred. If she fails after breeding once, twice, or three times you will know that she is not in a healthy condition. It is also natural for every healthy cow or heifer to carry her calf full time and expel the afterbirth within a few hours after freshening. A cow may carry her calf full time. The calf may be alive and appear to be healthy, but if the glands of the throat are enlarged or swollen, you will know that the calf is afflicted with goiter. An abnormal looseness of the bowels in calves, commonly known as scours or diarrhea, is usually due to indigestion. Without any apparent cause there may be a falling off of the milk production even though the usual care and feed are given a herd. This shortage of milk is one of the usual results of the presence of low vitality of the herd. It is at this time that nature requires assistance. Blood-Tonik is prepared for this purpose. If your herd is afflicted with any of the above ailments or diseases they are not doing their best * * *. Blood-Tonik * * * Dr. David Roberts Blood-Tonik contains drugs known to be useful in treating the blood and ailments of the genital organs and is especially recommended for cows, but can be fed to mares in same size dose, and to ewes and sows in one-half size dose," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective as a remedy for the diseases, ailments, and afflictions mentioned therein.

On March 13, 1929, the two cases having been consolidated into one cause of action and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16274. Adulteration and misbranding of sodium bicarbonate. U. S. v. 350 Pound Cans, et al., of Sodium Bicarbonate. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23163. I. S. No. 03412. S. No. 1263.)

On October 23, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 pound cans and 20 twenty-five pound cans of sodium bicarbonate, remaining in the original unbroken packages at Perry Point, Md., alleging that the article had been shipped by James Good (Inc.), from Philadelphia, Pa., on or about September 20, 1928, and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Sodium Bicarbonate U. S. P."

Analysis by this department showed that some of the cans contained sodium fluoride to the extent of 86 to 92 per cent.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength and purity as determined by the test laid down in said pharmacopoeia, and for the further reason that the strength and purity of the article fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the statement on the label, "Sodium Bicarbonate U. S. P.," was false and misleading when applied to an article consisting largely of sodium fluoride, and for the further reason that the article was offered for sale under the name of another article.

On March 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16275. Misbranding of Meyer Red Diamond throat and chest salve. U. S. v. 78 Jars of Meyer Red Diamond Throat and Chest Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23449. I. S. No. 0884. S. No. 1604.)

On February 20, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 jars of Meyer Red Diamond throat and chest salve, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Meyer Bros. Drug Co., St. Louis, Mo., in part on or about September 21, 1928, and in part on or about January 16, 1929, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum, wool fat, and volatile oils, including turpentine oil and menthol.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Jar label) "Throat and Chest Salve * * * Spasmodic Croup:—Rub the Salve freely over the chest and throat, allowing patient to inhale the vapor until difficult breathing is relieved. Influenza * * * Common Sore Throat. Use same as croup. In severe cases use hot towels as directed. For Pneumonia, Whooping Cough:—Melt in a spoon and inhale. Apply in the nostrils. Itching Piles. * * *. Pneumonia:—As a First Aid;" (carton) "Throat and Chest Salve treatment of congestion and inflammation of the air passages due to Spasmodic Croup, Colds, Sore Throat, Whooping Cough, and Influenza. Useful in the treatment of Croup, Colds, Influenza, Spasmodic Whooping Cough, and Inflammation * * *. For Neuralgia, Itching Piles, and many forms of Rheumatic Pains."

On March 20, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16251-16275

	N. J. No.		N. J. No.
Allenrhu:		Hay fever medicine:	
Alle-Rhume Remedy Co----	16251,	Bell, C. A-----	16272
Kells Co-----	16265	Hernance's, Dr. M., asthma and hay	
Asthma and hay fever medicine:	16267	fever medicine:	
Bell, C. A-----	16272	Bell, C. A-----	16272
Asthma powder:		Laxa-Pirin:	
Day, W. D., & Co-----	16252	Hoosier Remedy Co-----	16254
Blood-Tonik:		Menthol inhaler:	
Roberts, Dr. David, Vet-		Eagle Druggists Supply Co.	16264
erinary Co-----	16273	Meyer Red Diamond throat and chest	
Borine:		salve:	
Borine Manufacturing Co--	16256	Meyer Bros. Drug Co-----	16275
Bronchulets:		Munyon's grippe remedy:	
International Laboratories	16263	Munyon Remedy Co-----	16262
Chlorine bombs:		Nash's croup and pneumonia salve:	
National Research Corp----	16258	Nash Bros. Drug Co-----	16271
Cold tablets:		Nox-Mal-A:	
Jamieson, C. E., & Co-----	16253	Savodine Co-----	16261
Owl Drug Co-----	16257	P and R chlorine bombs:	
Cold and grippe tablets:		National Research Corp----	16258
Commerce Drug Co-----	16270	Pneumonia salve. See Croup and	
Cre Sot Rub:		pneumonia salve.	
Drain Chemical Co-----	16260	Rising Mist salve:	
Croup and pneumonia salve, Nash's:		Wynn's Rising Mist Co----	16255
Nash Bros. Drug Co-----	16271	Si-Nok:	
Day's asthma powder:		Si-Nok Co-----	16269
Day, W. D., & Co-----	16252	Sodium bicarbonate:	
Draper's Rub:		Good, James-----	16274
Memphis Chemical Co----	16268	Taylor's laxative cold tablets:	
Eagle menthol inhaler:		Jamieson, C. E., & Co-----	16253
Eagle Druggists Supply Co.	16264	Thompson grippe and cold tablets:	
Grains of Health:		Owl Drug Co-----	16257
Grains of Health Products		Throat and chest salve:	
Co-----	16259	Meyer Bros. Drug Co-----	16275
Grippe remedy:		Uterine Catholicon:	
Munyon Remedy Co-----	16262	Graefenberg Co-----	16266

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16276-16300

[Approved by the Secretary of Agriculture, Washington, D. C., October 2, 1929]

16276. Adulteration of chestnuts. U. S. v. 3½ Kegs of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23232. I. S. No. 04201. S. No. 1340.)

On December 10, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3½ kegs of chestnuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by G. Locicero from New York, N. Y., on or about November 24, 1928, and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On March 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16277. Adulteration of shell eggs. U. S. v. Earl L. Campbell. Plea of guilty. Fine, \$25. (F. & D. No. 22563. I. S. Nos. 13161-x, 13162-x.)

On August 14, 1928, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Earl L. Campbell, Benkelman, Nebr., alleging shipment by said defendant, in violation of the food and drugs act, on or about January 16, 1928, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated. The article was labeled in part: "From E. L. Campbell Produce Benkelman, Nebraska."

It was alleged in the information that the article was adulterated in that it consisted in part of a filthy and decomposed and putrid animal substance.

On March 5, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16278. Misbranding of cottonseed cake. U. S. v. Planters Cotton Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 22593. I. S. No. 23376-x.)

On December 19, 1928, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the

Planters Cotton Oil Co. (Inc.), a corporation, Waxahachie, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about December 19, 1927, from the State of Texas into the State of Montana, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: (Tag) "43% Protein Cotton Seed Cake Manufactured by Planters Cotton Oil Co., Inc., Waxahachie, Texas. Guaranteed Analysis Protein (not less than) 43%."

It was alleged in the libel that the article was misbranded in that the statements, to wit, "43% Protein Cotton Seed Cake," and "Guaranteed Analysis, Protein (not less than) 43%," borne on the label, were false and misleading in that the said statements represented that the article was 43 per cent protein cottonseed cake and contained not less than 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was 43 per cent protein cottonseed cake and contained not less than 43 per cent of protein, whereas the said article was not 43 per cent protein cottonseed cake, in that it contained less than 43 per cent of protein.

On February 18, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16279. Adulteration of butter. U. S. v. 15 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23616. I. S. No. 05970. S. No. 1816.)

On March 14, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Sheridan Creamery Co., from Portland, Oreg., March 8, 1929, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On March 15, 1929, the Sheridan Creamery, Portland, Oreg., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$450, conditioned that it be made by claimant to conform with the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16280. Adulteration of butter. U. S. v. 22 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23606. I. S. No. 05964. S. No. 1801.)

On March 9, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Marion Creamery & Produce Co., Portland, Oreg., March 2, 1929, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted wholly or in part for butter.

On March 20, 1929, Alfred Monotti, San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be made to conform to and with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16281. Adulteration and misbranding of butter. U. S. v. 15 Boxes of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23602. I. S. Nos. 05790, 05794. S. No. 1798.)

On March 12, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 boxes of butter, remaining in the original unbroken packages at Boston, Mass., consigned about February 28, 1929, alleging that the article had been shipped by the David Cole Creamery Co., Omaha, Nebr., and transported from the State of Nebraska into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended. Ten boxes of the article were labeled in part: (Shipping boxes) "Royal 2 Lb. Rolls," (inner wrappers) "Royal Creamery Butter. * * * 2 Lbs. Net Weight." The remaining 5 boxes of the articles were shipped in strawboard cases labeled, "Plain 1 lb. Rolls No. 352," and bore no label on the wrappers.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

Misbranding was alleged with respect to the portion of the product contained in the said 5 boxes for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 22, 1929, the David Cole Creamery Co., Omaha, Nebr., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of collateral in the sum of \$200 in lieu of bond in like amount, conditioned in part that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat, and that the said five boxes of the product be relabeled to show the true quantity of the contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16282. Adulteration of butter. U. S. v. 10 Tubs of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23609. I. S. No. 05791. S. No. 1799.)

On March 13, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about February 26, 1929, alleging that the article had been shipped by Kirschbraun & Sons (Inc.), Omaha, Nebr., and transported from the State of Nebraska into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

On March 19, 1929, Kirschbraun & Sons (Inc.), Omaha, Nebr., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of \$200 in lieu of bond in like amount, conditioned in part that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16283. Adulteration of butter. U. S. v. 118 Tubs of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23610. I. S. No. 05797. S. No. 1818.)

On March 20, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and con-

demnation of 118 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about March 6, 1929, alleging that the article had been shipped by the North American Creamery Co., Paynesville, Minn., and transported from the State of Minnesota into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

On March 22, 1929, the North American Creamery Co., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of collateral in the sum of \$2,500 in lieu of bond, conditioned in part that it be reworked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16284. Adulteration of butter. U. S. v. 25 Cases of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23611. I. S. No. 05793. S. No. 1797.)

On March 13, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of butter, remaining in the original unbroken packages at Boston, Mass., consigned about February 28, 1929, alleging that the article had been shipped by Sherman White & Co., Kendallville, Ind., and transported from the State of Indiana into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On March 19, 1929, Sherman White & Co., Fort Wayne, Ind., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of \$400 in lieu of bond, conditioned that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16285. Adulteration of butter. U. S. v. 225 Boxes of Butter. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23600. I. S. No. 05838. S. No. 1817.)

On March 20, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 225 boxes of butter, remaining in the original unbroken packages at Boston, Mass., consigned about March 8, 1929, alleging that the article had been shipped by the Pioneer Creamery Co., Galesburg, Ill., and transported from the State of Illinois into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter shall contain not less than 80 per cent by weight of milk fat.

On March 22, 1929, the Holland Butter Co., Boston, Mass., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of \$3,000 in lieu of bond in that sum, conditioned in part that it be reworked under the supervision of this department so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16286. Misbranding of tomato catsup. U. S. v. 159½ Cases of Tomato Catsup. Product released under bond. (F. & D. No. 22929. I. S. Nos. 01458, 01459. S. No. 996.)

On July 28, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 159½ cases of tomato catsup, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about June 20, 1928, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Jug) "Scott Co. Brand Tomato Catsup Contents 1 Gal. Morgan Packing Co., Austin, Ind."

It was alleged in the libel that the article was misbranded in that the designation "Tomato Catsup," borne on the label, was false and misleading and deceived and misled the purchaser when applied to an artificially colored article.

On December 3, 1928, the Morgan Packing Co., Austin, Ind., having appeared as claimant for the property, and having tendered its bond in the sum of \$1,000, conditioned as provided by law, it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16287. Misbranding of Diamond shorts with ground wheat screenings. U. S. v. 43 Sacks of Diamond Shorts with Ground Wheat Screenings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23079. I. S. No. 012977. S. No. 1112.)

On August 6, 1928, the United States attorney for the District of Kansas, acting upon a report by the control division of the Kansas State Board of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 43 sacks of Diamond shorts with ground wheat screenings, remaining in the original unbroken packages at Kansas City, Kans., alleging that the article had been sold by the Rodney Milling Co., Kansas City, Mo., to the Kansas City Mill Products, Kansas City, Mo., and by them sold to Dyer & Co., August 1, 1928, and by said Dyer & Co., transported in interstate commerce from Kansas City, Mo., to Kansas City, Kans., and charging misbranding in violation of the food and drugs act. The article was labeled in part: Diamond Shorts with Ground Wheat Screenings. Manufactured by Rodney Milling Company, Kansas City, Missouri * * * Wheat Shorts with Ground Wheat Screenings not exceeding mill run."

It was alleged in the libel that the article was misbranded in that it was labeled, "Diamond Shorts with Ground Wheat Screenings," and labeled to contain the following wheat ingredients, "Wheat Shorts with Ground Wheat Screenings not exceeding mill run," whereas it was composed principally of re-ground wheat bran with ground wheat screenings, including a large amount of ground weed seed, said wheat screenings being in excess of the mill run.

On October 5, 1928, Dyer & Co., Kansas City, Mo., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be repacked and relabeled to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16288. Adulteration and misbranding of Blatz grape gum. U. S. v. 44 Cases of Blatz Grape Gum, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22892, 22893, 22939. I. S. Nos. 22563-x, 22564-x, 028. S. Nos. 932, 1020.)

On July 20 and August 2, 1928, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 96 cases of Blatz grape gum, remaining in the original packages at San Francisco, Calif., consigned by the Val Blatz Brewing Co., Milwaukee, Wis., alleging that the article had been shipped in part from Kansas City, Mo., June 16, 1928, in part from Newport, R. I., May 29, 1928, and in part from Chicago, Ill., July 3, 1928, and transported from the States of Missouri, Rhode Island, and Illinois, respectively, into the State of

California, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that an artificially flavored substance had been substituted wholly or in part for the article and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the article was offered for sale under the name of another article, "Grape Gum." Misbranding was alleged for the further reason that the following statements on the labeling were false and misleading and deceived and misled the purchaser: (Cases) "Original grape chewing gum * * * Grape Gum;" (cartons) "Blatz Grape Gum * * * Insist on the Original. Refuse Substitutes. Original Grape Chewing Gum;" (leaflet) "When you order Blatz Grape Gum from your jobber, insist on Blatz only and accept no substitutes. There's a reason for the popularity of Blatz Grape Gum. It is the original Grape Flavor—a flavor no one has been able to imitate successfully. Blatz Grape Gum is advertised in magazines, newspapers, and billboards all over the country. When placing your order with your jobber don't say Grape Gum but specify Blatz the Original Grape Gum. When the order is delivered make sure that you get Blatz—the Original—and refuse to accept any substitutes;" (retail 5¢ package) "Blatz Grape Gum * * * Lasting Grape Flavor * * * Refreshing Grape Flavor;" (individual stick) "Blatz Grape Gum. The original grape chewing gum."

On February 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16289. Adulteration of butter. U. S. v. 13 Cubes, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23599. I. S. No. 09. S. No. 1815.)

On March 16, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Marion Creamery & Produce Co., Portland, Oreg., alleging that the article had been shipped from Portland, Oreg., March 9, 1929, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On March 20, 1929, Alfred Monotti, San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$700, conditioned in part that it be made to conform to the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16290. Adulteration of scallops. U. S. v. 70 Gallons of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23601. I. S. No. 05762. S. No. 1517.)

On or about January 28, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 70 gallons of scallops, remaining in the original unbroken packages at Boston, Mass., consigned about January 23, 1929, alleging that the article had been shipped by the Gordon C. Willis Co., Morehead City, N. C., and transported from the State of North Carolina into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

On February 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16291. Adulteration of butter. U. S. v. 14 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23614, 23615. I. S. Nos. 05182, 05183. S. Nos. 1653, 1685.)

On February 13, 1929, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 27 tubs of butter, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Lineville Creamery Co., from Lineville, Iowa, February 2, 1929, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in butterfat (or milk fat) and high in moisture had been substituted wholly or in part for the said article, for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted from the article, and for the further reason that it contained less than 80 per cent of butterfat.

On February 13, 1929, and February 16, 1929, respectively, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,000, conditioned in part that it be reprocessed to remove the excess water and raise the butterfat content to 80 per cent.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16292. Misbranding and alleged adulteration of vinegar. U. S. v. 66 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22675. I. S. Nos. 23583-x, 23584-x. S. No. 711.)

On March 29, 1928, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 66 barrels of vinegar at Eau Claire, Wis., alleging that the article had been shipped by the Red Wing Food Products Co., from Red Wing, Minn., January 4, 1928, and transported from the State of Minnesota into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration was alleged in the libel with respect to a portion of the article for the reason that it contained an acid product other than cider vinegar and also contained water, which had been substituted in part for cider vinegar and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength. Adulteration was alleged with respect to the remainder of the said article for the reason that a substance had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength. Adulteration was alleged with respect to all of the said product for the further reason that it had been mixed and colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the article bore a label as follows, "Lanco Brand Apple Cider Vinegar Reduced to 4½ per cent acidity ("4 per cent acidity" with respect to portion) 40 Grain 52 Gallons," which label was false and misleading and deceived and misled purchasers in that the said article did not comply with the said statement in that it contained an acid product other than cider vinegar. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On May 14, 1928, the Red Wing Food Products Co., Red Wing, Minn., having appeared as claimant for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and should not be sold until reinspected by this department and relabeled, "Imitation Cider Vinegar consists principally of Distilled Vinegar artificially colored."

ARTHUR M. HYDE, *Secretary of Agriculture.*

16293. Misbranding of butter. U. S. v. 10 Cases of Quality Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23077. I. S. Nos. 0822, 0823. S. No. 1110.)

On August 3, 1928, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of butter, remaining in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by the Lowndes County Cooperative Dairy Association, Columbus, Miss., on or about July 30, 1928, and July 31, 1928, and transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cases) "From Lowndes County Cooperative Dairy Association, Dairy Products, Columbus, Mississippi;" (retail packages) "One Pound Net Quality Butter, Pure, Sanitary, Fresh."

It was alleged in substance in the libel that the article was misbranded in that the statement "One Pound Net Quality Butter, Pure, Sanitary, Fresh," borne on the label, was false and misleading and deceived and misled the purchaser, and in that the article was food in package form and the package bore a statement of weight and measure, which said statement was not a plain and correct statement of the average net weight and volume of the contents of said package, in that the said packages contained by weight an unreasonable amount of butter less than 1 pound net.

On December 27, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16294. Adulteration and misbranding of canned cherries. U. S. v. 100 Cases of Canned Cherries. Product found adulterated and misbranded, and released under bond. (F. & D. No. 23043. I. S. No. 01657. S. No. 1121.)

On or about September 1, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of canned cherries at Toledo, Ohio, alleging that the article had been shipped by the Fredonia Preserving Co., Fredonia, N. Y., July 25, 1928, and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Fedora Pitted Cherries * * *. Packed by Fredonia Preserving Company, Fredonia, N. Y. Guaranteed to Comply with the National and State Pure Food Laws."

It was alleged in the libel that the article was adulterated in that it contained worms, mixed and packed with the said article.

It was further alleged in the libel that the article was misbranded in that it consisted in part of a filthy vegetable substance, whereas the label bore the following false and misleading statement which deceived and misled the purchaser: "Guaranteed to comply with the National and State Pure Food Laws."

On October 26, 1928, the Fredonia Preserving Co., Fredonia, N. Y., having appeared as claimant for the property, a decree was entered finding the product adulterated and misbranded as alleged in the libel, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,100, conditioned in part that the claimant make no further disposition of the cherries, or if intending to dispose of them, to first have the wormy and adulterated cherries separated from those which did not violate the law, and to have those cherries which were found to violate the provisions of the Federal food and drugs act reconditioned at its factory at Fredonia, N. Y., the separation and reconditioning to be under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16295. Misbranding of alfalfa meal and alfalfa stem meal. U. S. v. 630 Sacks of Alfalfa Meal, et al. Products released under bond. (F. & D. No. 23153. I. S. Nos. 014227, 014228, 014229. S. No. 1250.)

On October 22, 1928, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condem-

nation of 630 sacks of alfalfa meal and 400 sacks of alfalfa stem meal at Houston, Tex., alleging that the articles had been shipped by the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., in part on or about September 1, 1928, and in part on or about September 10, 1928, and transported from the State of New Mexico into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part: (Texas State tag) "100 Lbs. (Net) Alfalfa Meal Manufactured by Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico. * * * Crude Protein not less than 13.00 per cent." The articles further bore mill tags, a portion of which were labeled, "Alfalfa Meal—Extracted 100 Lbs. Net Pecos Valley Alfalfa Mill Company, Hagerman, N. Mexico * * * Crude Protein not less than 10.0 Per cent * * * Made from alfalfa after extracting a portion of the finely pulverized product," and the remainder of which were labeled, "Alfalfa Stem-Meal 100 Lbs. Net. Made by Pecos Valley Alfalfa Mill Co., Hagerman, N. Mexico * * * Crude Protein not less than 10.0 Per cent. Made from alfalfa after extracting a portion of the finely pulverized product."

It was alleged in the libel that the articles were short in weight and misbranded in violation of section 8 of the act and in violation of sections (paragraphs) 2 and 4, in that they were in whole or in part branded so as to falsely represent their contents and to mislead and deceive the purchaser.

On October 26, 1928, the Dixon Grain Co., Houston, Tex., entered an appearance as claimant for the property, admitting that a portion of the product had been tagged as alfalfa stem meal and the remainder as alfalfa meal, that it was all alfalfa stem meal, that a portion of the sacks were short weight, that the product had been relabeled, "alfalfa stem meal," and the sacks repacked, where necessary, so that each sack contained 100 pounds net of the article. Said claimant having paid costs and tendered a bond in the sum of \$500, conditioned that the article should not be sold or otherwise disposed of contrary to law, it was ordered by the court that the product be delivered to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16296. Misbranding of tomato catsup. U. S. v. 188 Cases, et al., of Tomato Catsup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23346. I. S. Nos. 012103, 012105. S. No. 1482.)

On or about January 26, 1929, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 188 cases, 14-ounce size bottles, and 300 cases, 8-ounce size bottles, of tomato catsup, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Mid-West Food Packers (Inc.), Fowlerton, Ind., on or about September 25, 1928, and transported from the State of Indiana into the State of Tennessee, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Mid-West Brand Tomato Catsup * * * Highest Quality Made by Mid-West Food Packers, Inc., Fowlerton, Ind. This catsup guaranteed to be absolutely pure. No preservative or artificial coloring."

It was alleged in the libel that the article was misbranded in that the statements on the bottle labels, "This catsup guaranteed to be absolutely pure" and "No artificial coloring," were false and misleading and deceived and misled the purchasers.

On or about February 27, 1929, the Phillips-Trawick Co., Nashville, Tenn., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500 conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16297. Misbranding of tomato catsup. U. S. v. 262 Cases of Tomato Catsup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22972. I. S. Nos. 02089 to 02093, incl. S. No. 1057.)

On August 14, 1928, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 262 cases of tomato catsup, remaining in the original un-

broken packages at Milwaukee, Wis., alleging that the article had been shipped by the Morgan Packing Co., from Austin, Ind., in various consignments between the dates of June 1, 1928, and July 20, 1928, and transported from the State of Indiana into the State of Wisconsin, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "American Beauty Brand Tomato Catsup Morgan Packing Co., Austin, Ind."

It was alleged in the libel that the article was misbranded in that the designation "Tomato Catsup" was false and misleading and deceived and misled the purchaser when applied to an artificially colored article.

On November 16, 1928, no appearance having been made in the case, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. On January 4, 1929, the Morgan Packing Co., Austin, Ind., having appeared as claimant for the property and the decree of November 16, 1928, not having been executed, an amended decree was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to law, and be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16298. Misbranding of canned shrimp. U. S. v. 41 Cases of Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23084. I. S. No. 01914. S. No. 1168.)

On September 13, 1928, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 41 cases of shrimp, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by the Robinson Canning Co., from New Orleans, La., on or about May 9, 1928, and transported from the State of Louisiana into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Salad Brand Shrimp Packed by Robinson Canning Co. Westwego, La., and New Orleans, La. Contents Wet Pack 5¼ Ozs."

It was alleged in the libel that the article was misbranded in that the statement "Contents Wet Pack 5¼ ozs.," borne on the label, was false and misleading and deceived and misled the purchaser, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16299. Adulteration of dried figs. U. S. v. 100 Cases of Dried Figs. Default order of destruction entered. (F. & D. No. 23247. I. S. No. 0650. S. No. 1359.)

On December 13, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of dried figs, remaining in the original packages at Los Angeles, Calif., alleging that the article had been shipped by V. C. Arguimbau & Co., from New York, N. Y., on or about November 13, 1928, and transported from the State of New York into the State of California and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Crop 1928. New York Extra String Figs Grown in Greece;" (paper insert in each case) "Acropolis Brand Product of Greece Selected Figs Barki Freres."

It was alleged in the libel that the article was adulterated in that it consisted in part or in whole of a filthy vegetable substance and contained live larvae.

On March 26, 1929, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16300. Adulteration of fig bars. U. S. v. 23 Cases of Fig Bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22925. I. S. No. 17931-x. S. No. 986.)

On or about July 27, 1928, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cases of fig bars, remaining in the original unbroken packages at Boise, Idaho, alleging that the article had been shipped by the Andrews Wilmans Biscuit Co., San Francisco, Calif., on or about June 7, 1928, and transported from the State of California into the State of Idaho, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that the said fig bars were wormy, filthy, decomposed, and putrid.

On August 21, 1928, no claimant having appeared for the property, judgment was entered finding the product subject to condemnation and forfeiture, and it was ordered by the court that said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16276-16300

Alfalfa meal. <i>See</i> Feed.		
stem meal. <i>See</i> Feed.		
Blatz grape gum:	N. J. No.	
Val Blatz Brewing Co----	16288	
Butter:		
Cole, David, Creamery Co.	16281	
Kirschbraun & Sons-----	16282	
Lineville Creamery Co-----	16291	
Lowndes County Coop.		
Dairy Assoc-----	16293	
Marion Creamery & Produce		
Co-----	16280, 16289	
No. Amer. Creamery Co-----	16283	
Pioneer Creamery Co-----	16285	
Sheriden Creamery Co-----	16279	
White, Sherman, & Co-----	16284	
Catsup. <i>See</i> Tomato catsup.		
Cherries, canned:		
Fredonia Preserving Co----	16294	
Chestnuts. <i>See</i> Nuts.		
Cottonseed cake. <i>See</i> Feed.		
Diamond shorts. <i>See</i> Feed.		
Eggs:		
Campbell, E. L-----	16277	
Feed—		
alfalfa meal:		
Pecos Valley Alfalfa Mill		
Co-----	16295	
alfalfa stem meal:		
Pecos Valley Alfalfa Mill		
Co-----	16295	
cottonseed cake:		
Planters Cotton Oil Co----	16278	
Feed—Continued.		
Diamond shorts:	N. J. No.	
Rodney Milling Co-----	16287	
shorts and screenings:		
Rodney Milling Co-----	16287	
Fig bars:		
Andrews Wilmans Biscuit		
Co-----	16300	
Figs:		
Arguimbau, V. C., & Co----	16299	
Fish—		
shrimp, canned:		
Robinson Canning Co-----	16298	
Grape gum:		
Val Blatz Brewing Co----	16288	
Nuts—		
chestnuts:		
Locicero, G-----	16276	
Scallops. <i>See</i> Shellfish.		
Shellfish—		
scallops:		
Willis, G. C., Co-----	16290	
Shorts. <i>See</i> Feed.		
and screenings. <i>See</i> Feed.		
Shrimp. <i>See</i> Fish.		
Tomato catsup:		
Mid-West Food Packers----	16296	
Morgan Packing Co.	16286, 16297	
Vinegar:		
Red Wing Food Products		
Co-----	16292	

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16301-16325

[Approved by the Secretary of Agriculture, Washington, D. C., October 2, 1929]

16301. Adulteration of canned cherries. U. S. v. 175 Cases of Canned Cherries. Product adjudged adulterated and ordered released under bond. (F. & D. No. 23051. I. S. No. 01658. S. No. 1136.)

On September 5, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 175 cases of canned cherries, alleging that the article had been shipped by the Fredonia Salsina Canning Co., Fredonia, N. Y., on or about July 3, 1928, and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Skylark Brand Red Sour Pitted Cherries * * * Fredonia Salsina Canning Company, Inc., Fredonia, N. Y."

It was alleged in the libel that the article was adulterated in that it contained a filthy, wormy, vegetable substance mixed and packed with the said article, contrary to and in violation of section 7, paragraph 6, under food of said act.

On December 18, 1928, the Fredonia Salsina Canning Co. (Inc.), Fredonia, N. Y., having appeared as claimant for the property and having admitted the allegations in the libel, a decree was entered adjudging the product adulterated as alleged in the libel and ordering that it be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,750, conditioned in part that the claimant pay costs and make no further disposition of the said cherries to any person or corporation, or, if intending to dispose of them, that the claimant have the wormy and adulterated cherries separated from those which did not violate the law, and to have those cherries which did violate the law reconditioned at its factory at Fredonia, N. Y., both the separation and reconditioning to be under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16302. Misbranding of butter. U. S. v. 2 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23617. I. S. No. 07715. S. No. 1686.)

On February 19, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 cases of butter at Chehalis, Wash., alleging that the article had been shipped by Swift & Co., Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Chehalis on or about February 12, 1929, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Thrifty Quality Butter Best Creamery * * * Oregon Creamery No. 138 One Pound."

It was alleged in the libel that the article was misbranded in that it was labeled in part, "One Pound," which was false and misleading, since the packages of butter contained less than that quantity. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated on the package was not correct.

On February 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$125, conditioned in part that it be repacked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16303. Adulteration and misbranding of salad oil. U. S. v. 53 Cans of Salad Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22500. I. S. No. 21467-x. S. No. 618.)

On or about March 6, 1928, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 53 cans of salad oil, remaining in the original unbroken packages at New Britain, Conn., alleging that the article had been shipped by A. Gash & Co., New York, N. Y., in part about April 5, 1927, and in part about May 21, 1927, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that cottonseed oil had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the label bore the statements, "Marca Messina * * * Net Contents 98% of a Gallon or 7½ Lb. Net. Messina Brand Oil is a high grade golden corn oil made from the kernel of American corn * * * Guaranteed to be pure," and a design of a female figure holding ear of corn arranged to display combination of Italian colors, which were false and misleading and deceived and misled the purchaser; for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package; and for the further reason that the article was offered for sale under the distinctive name of another article.

On April 14, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16304. Adulteration of dates. U. S. v. 12 Cases, et al., of Dates. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23213. I. S. Nos. 0336, 0337. S. No. 1319.)

On November 28, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 39 cases of dates, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the W. H. Marvin Co., from Urbana, Ohio, and transported from the State of Ohio into the State of Washington, arriving at Seattle on or about May 27, 1928, and June 22, 1928, respectively, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Cans) "Marvin Brand Dates * * * Packed by The W. H. Marvin Co. Urbana, Ohio." The remainder of the said article was labeled in part: (Cans) "Servus Brand Fancy Halloween Dates."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On January 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16305. Adulteration of chestnuts. U. S. v. 18 Bags, et al., of Unlabeled Chestnuts. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23239, 23240. I. S. No. 02041. S. No. 1350.)

On or about December 13, 1928, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 33 bags of chestnuts, remaining unsold in the original bags at Detroit, Mich., alleging that the article had been shipped by the Payne Produce Co., from Wytheville, Va., November 21, 1928, and transported from the State of Virginia into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On January 3, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16306. Adulteration of chestnuts. U. S. v. 9 Cases of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23299. I. S. No. 02048. S. No. 1417.)

On January 11, 1929, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 cases of chestnuts, remaining unsold in the original cases at Detroit, Mich., alleging that the article had been shipped by Sgobel & Day, from New York, N. Y., November 15, 1928, and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 5, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16307. Adulteration of walnut halves. U. S. v. 42 Boxes of Walnut Halves. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23244. I. S. No. 02040. S. No. 1352.)

On or about December 13, 1928, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 42 boxes of walnut halves, remaining unsold in the original boxes at Detroit, Mich., alleging that the article had been shipped by Habicht Braun & Co., from New York, N. Y., October 8, 1928, and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 3, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16308. Adulteration of chestnuts. U. S. v. 6 Barrels of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23300. I. S. No. 02049. S. No. 1423.)

On or about January 11, 1929, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 barrels of chestnuts, remaining unsold in the original barrels at Detroit, Mich., alleging that the article had been shipped by the M. J. Hogan Co., from New York, N. Y., November 15, 1928, and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed and putrid vegetable substance.

On February 5, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16309. Adulteration of pecan halves. U. S. v. 8 Barrels of Pecan Halves. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23212. I. S. No. 03616. S. No. 1317.)

On November 28, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 barrels of pecan halves, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the G. A. Duerler Mfg. Co., from San Antonio, Tex., on or about June 1, 1927, and transported from the State of Texas into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On February 6, 1929, Claude H. Jones (Inc.), New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$600, conditioned in part that the good portion be separated from the bad portion and the latter destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16310. Adulteration and misbranding of canned crushed raspberries and canned raspberries. U. S. v. 18 Cases of Crushed Raspberries, et al. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23553. I. S. Nos. 02520, 02521. S. No. 1329.)

On March 22, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cases, each containing 6 tins of crushed raspberries, and 12 cases, each containing 6 tins of raspberries, remaining in the original unbroken packages at Boston, Mass., consigned about October 12, 1928, alleging that the article had been shipped by the Hood River Canning Co., Hood River, Oreg., and transported from the State of Oregon into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that a substance containing added sugar and benzoate of soda, mixed and colored in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements "Crushed Raspberries," regarding the crushed raspberry lot, and "Raspberries," regarding the raspberry lot, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 9, 1929, the Hood River Canning Co., Hood River, Oreg., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of collateral in the sum of \$300 in lieu of bond, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16311. Misbranding of butter. U. S. v. 135 Prints of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23597. I. S. No. 07716. S. No. 1687.)

On or about February 20, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture,

filed in the District Court of the United States for said district a libel praying seizure and condemnation of 135 prints of butter at Centralia, Wash., alleging that the article had been shipped by Swift & Co., Portland, Oreg., and had been transported from the State of Oregon into the State of Washington, arriving at Centralia in part on or about February 5, and in part on or about February 8, 1929, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Thrifty Quality Butter Best Creamery * * * Oregon Creamery, No. 138, One Pound."

It was alleged in the libel that the article was misbranded in that it was labeled in part, "One Pound," which label was false and misleading, since the package contained less than the declared quantity of butter. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated on the package was not correct.

On February 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product misbranded in that a portion thereof was underweight, and it was ordered by the court that the said product be condemned and forfeited. It was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$125, conditioned in part that it be repacked under the supervision of this department so as to conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16312. Adulteration and misbranding of salad oil and misbranding of olive oil. U. S. v. A. Gash & Co. (Inc.). Plea of guilty. Fine, \$200. (F. & D. No. 23704. I. S. Nos. 16772-x, 21205-x, 21467-x, 21469-x, 21522-x.)

On March 5, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Gash & Co. (Inc.), a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about December 16, 1926, April 5, 1927, and May 21, 1927, from the State of New York into the State of Connecticut, of quantities of salad oil which was adulterated and misbranded, and on or about October 4, 1927, and November 9, 1927, from the State of New York into the State of Pennsylvania, of quantities of olive oil which was misbranded. The salad oil was labeled in part: (Can) "Messina Brand Extra Fine Oil for Salads, Cooking, and Mayonnaise. Net Contents 98% of a Gallon or 7½ Lb. Net. Made in U. S. A. 1922 Messina Brand Oil is a High Grade Golden Corn Oil Made From The Kernel Of American Corn." The olive oil was labeled in part: (Can) "Italian Product Virgin Olive Oil Agash Brand Italy Net Contents One Full Gallon * * * A. Gash Importer & Packer Oneglia, Italy. N. Y., U. S. A."

Adulteration was alleged in the information with respect to the salad oil for the reason that a substance, to wit, cottonseed oil, had been mixed and packed with it so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for corn oil which the said article purported to be.

Misbranding of the said salad oil was alleged for the reason that the statements, to wit, "High grade golden corn oil, made from the kernel of American Corn" and "Net Contents 98% of a Gallon or 7½ Lb. Net," borne on the label attached to the cans containing the article, were false and misleading in that the said statements represented that the article consisted wholly of corn oil and that each of the cans contained 98 per cent of a gallon, or 7½ pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of corn oil and that each of the said cans contained 98 per cent of a gallon or 7½ pounds net of the article, whereas it did not consist wholly of corn oil, but did consist in part of cottonseed oil, and each of said cans did not contain 98 per cent of a gallon, or 7½ pounds net of the article, but did contain a less amount. Misbranding of the salad oil was alleged for the further reason that it was an imitation of corn oil and was offered for sale under the distinctive name of another article, to wit, corn oil. Misbranding of the said salad oil was alleged for the further reason that the statements, to wit, "Messina Brand Extra Fine Oil," in prominent letters not cor-

rected by the statement "Made in U. S. A." in inconspicuous type in an inconspicuous place, together with the design and device of a woman attired in Italian colors, borne on the said cans, were false and misleading in that they represented that the article was a foreign product, to wit, an olive oil produced at Messina, Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced at Messina, Italy, whereas it was not, but was a domestic product, to wit, an article composed in part of cottonseed oil produced in the United States of America. Misbranding of the salad oil was alleged for the further reason that it purported to be a foreign product when not so. Misbranding of the olive oil was alleged for the reason that the statement, to wit, "Net Contents One Full Gallon," borne on the can label, was false and misleading in that it represented that each of the said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained 1 full gallon net of the article, whereas each of said cans did not contain 1 full gallon net of the article, but did contain a less amount. Misbranding was alleged with respect to both products for the further reason that they were foods in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On April 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16313. Adulteration of butter. U. S. v. 8 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23607. I. S. No. 05965. S. No. 1800.)

On March 11, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Sheridan Creamery Co., from Portland, Oreg., March 5, 1929, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On March 15, 1929, the Sheridan Creamery, Portland, Oreg., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that it be made to conform with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16314. Adulteration of canned sardines. U. S. v. 33 Cases of Sardines. Default decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23009. I. S. No. 02319. S. No. 1095.)

On August 27, 1928, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 cases of sardines, remaining in the original unbroken packages at Beaufort, S. C., alleging that the article had been shipped by the Haas Guthman Co., from Savannah, Ga., January 25, 1928, and transported from the State of Georgia into the State of South Carolina, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "White Star Brand Tinapa Sardines * * * Originated and Packed By Exclusively Van Camp Sea Food Co., Inc., * * * Los Angeles Harbor, California, U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On October 20, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16315. Adulteration of butter. U. S. v. 26 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23598. I. S. No. 05878. S. No. 1819.)

On March 20, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at Boston, Mass., consigned about March 1, 1929, alleging that the article had been shipped by the Lange Creamery (Inc.), Kansas City, Mo., and transported from the State of Missouri into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

On April 1, 1929, Armour & Co., Boston, Mass., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,600, conditioned in part that it be reworked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16316. Adulteration of butter. U. S. v. 10 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23608. I. S. No. 05968. S. No. 1832.)

On March 14, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by W. E. Turner, from Seattle, Wash., March 6, 1929, and transported from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On March 25, 1929, the W. E. Turner Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be repacked to conform with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16317. Misbranding of tomato catsup. U. S. v. 363 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23336. I. S. No. 05340. S. No. 1476.)

On January 21, 1929, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 363 cases of tomato catsup, remaining in the original packages at Peoria, Ill., alleging that the article had been shipped by Kemp Bros. Packing Co., Frankfort, Ind., from Kempton, Ind., on or about October 6, 1928, and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Blue Ribbon Catsup," (neck of bottle) "Not Artificially Colored."

It was alleged in the libel that the article was misbranded in that the statements "Tomato Catsup" and "Not Artificially Colored," borne on the labels, were false and misleading and deceived and misled the purchaser.

On April 12, 1929, the Kemp Bros. Packing Co., Frankfort, Ind., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for the purpose of relabeling under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16318. Adulteration of walnuts in shell. U. S. v. 24 Bags of Walnuts in Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23253. I. S. No. 03573. S. No. 1363.)

On December 18, 1928, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 bags of walnuts in shell, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the W. J. Cooney Co., from Augusta, Ga., on or about March 1, 1928, and transported from the State of Georgia into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16319. Misbranding of fine ground alfalfa meal and chicken greens. U. S. v. 110 Sacks of Fine Ground Alfalfa Meal, et al. Decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 23534, 23535. I. S. Nos. 013168, 013169, 013173. S. Nos. 1774, 1775.)

On March 18, 1929, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 200 sacks of fine ground alfalfa meal, and 298 sacks of chicken greens, remaining in the original unbroken packages at Baltimore, Md., alleging that the articles had been shipped by the California Hawaiian Milling Co., from San Francisco, Calif., in part January 8, 1929, and in part January 21, 1929, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act. The articles were labeled in part, respectively: "Fine Ground Alfalfa Meal * * * Crude Protein, not less than 14.00, Crude Fibre, not more than 30.00 * * * Manufactured by California Hawaiian Milling Co., San Francisco, Calif." and "Chicken Greens * * * Crude Protein not less than 20.0%, Crude Fibre not more than 18.0% * * * Manufactured by California Hawaiian Milling Co., San Francisco, Cal."

It was alleged in the libels that the articles were misbranded in that the statements "Crude Protein, not less than 14.00" and "Crude Fibre, not more than 30.00," with respect to the fine ground alfalfa meal, and "Crude Protein, not less than 20.0%" and "Crude Fibre, not more than 18.0%," with respect to the chicken greens, were false and misleading and deceived and misled the purchaser.

On March 30, 1929, and April 3, 1929, the Baltimore Feed & Grain Co., Baltimore, Md., and the California Hawaiian Milling Co., San Francisco, Calif., having appeared as claimants for respective portions of the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the respective claimants, upon payment of costs and the execution of bonds totaling \$2,080, conditioned in part that they should not be sold or disposed of until correctly labeled.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16320. Misbranding of vinegar. U. S. v. 39 Cases of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22799. I. S. No. 13197-x. S. No. 823.)

On May 29, 1928, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 39 cases of vinegar, remaining in the original unbroken packages at Pueblo, Colo., consigned by Robb Ross Co., Sioux City, Iowa, alleging that the article had been shipped from Sioux City, Iowa, on or about August 23, 1927, and transported from the State of Iowa into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Jugs) "Tropical Brand Pure Apple Cider Vinegar Reduced to 4½ per cent Acidity Packed by Robb Ross Co., Sioux City, Iowa."

It was alleged in the libel that the article was misbranded in that the designations "Cider Vinegar" and "Apple Cider Vinegar," and the statements "4½ percent" and "Reduced to 4½ per cent Acidity," borne on the label, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On March 23, 1929, the Tolerton & Warfield Co., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant if the claimant desired possession of the product for the purpose of remixing and repacking it, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16321. Misbranding of cottonseed meal. U. S. v. 300 Sacks of Cottonseed Meal. Product released under bond to be relabeled. (F. & D. No. 23385. I. S. No. 01412. S. No. 1572.)

On or about February 11, 1929, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of cottonseed meal, remaining in the original unbroken packages at Ash Grove, Mo., alleging that the article had been shipped by the Fort Smith Cotton Oil Co., from Fort Smith, Ark., on or about January 29, 1929, and transported from the State of Arkansas into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Choice 43% Grade Cotton Seed Meal, Guaranteed Analysis * * * Crude Protein 43.00 % * * * Manufactured by Fort Smith Cotton Oil Co., Fort Smith, Arkansas."

It was alleged in the libel that the article was misbranded in that the statements on the labels, "43 per cent," and "Crude Protein 43 per cent," were false and misleading and deceived and misled the purchaser.

On February 27, 1929, Likins Bros., Ash Grove, Mo., having appeared as claimant for the property and having posted bond in the sum of \$1,000 for release of the product for relabeling it to conform with the requirements of this department, a decree was entered ordering that the said product be released to the claimant for relabeling upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16322. Misbranding of feeds. U. S. v. 100 Bags of Calf Ration, et al. Consent decree of condemnation and forfeiture. Products released under bond. (F. & D. No. 23513. I. S. Nos. 013170, 013171, 013172. S. No. 1734.)

On March 11, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 100 bags of calf ration, 300 bags of Wilson Special Dairy 20 per cent, and 100 bags of Jersey brand egg mash, remaining in the original unbroken packages at Washington, D. C., alleging that the articles had been shipped by the Deal Bros. Milling Co., from Cumberland, Md., on or about February 4, 1929, and transported from the State of Maryland into the District of Columbia, and charging misbranding in violation of the food and drugs act. The calf ration was unlabeled. The Wilson Special Dairy 20 per cent was labeled in part: "100 Lbs. Net Wilson Special Dairy 20 per cent * * * Manufactured by The Deal Bros. Milling Co., Cumberland, Md." The Jersey brand egg mash was labeled in part: "100 lbs. net when packed Jersey Brand Egg Mash * * * Analysis: Protein 20% * * * Manufactured by Deal Brothers Milling Co., Cumberland, Maryland."

It was alleged in the libel that the calf ration was misbranded in that the quantity of the contents was not plainly and conspicuously marked on the outside of the packages. Misbranding of the Wilson Special Dairy 20 per cent and Jersey brand egg mash was alleged for the reason that the statements, "20%," with respect to the former, and "Analysis: Protein 20%," with respect to the latter, borne on the labels, were false and misleading and deceived and misled the purchaser when applied to articles containing a less amount of protein.

On April 18, 1929, Samuel Charles Wilson, Washington, D. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that they should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16323. Adulteration of walnuts in shell. U. S. v. 17 Sacks of Walnuts in Shell. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23279. I. S. No. 03653. S. No. 1392.)

On December 26, 1928, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 sacks of walnuts in shell, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been imported from Rumania, on or about December 23, 1925, into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "A A Roumania Whitcos Unshelled Walnuts 49 Kilos Net."

It was alleged in the libel that the article was adulterated in that it consisted in part of wormy, moldy, decomposed, and shriveled nuts and a putrid vegetable substance.

On February 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16324. Adulteration of figs. U. S. v. 619 Boxes of Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23264. I. S. No. 03575. S. No. 1373.)

On December 22, 1928, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 619 boxes of dried figs, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by G. Crisafulli, from Visalia, Calif., on or about November 29, 1928, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Felicino Crisafulli New York, N. Y. Fichi Mushioni."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance, namely, wormy, moldy, sour, and bird-pecked figs.

On February 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16325. Misbranding of corn oil. U. S. v. 160 Cases, et al., of Corn Oil. Product ordered released under bond. (F. & D. No. 23269. I. S. Nos. 0339, 0340, 0341, 0342, 0343, 0344. S. No. 1368.)

On December 21, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 794 cases, quart cans, 47 cases, half-gallon cans, 79 cases, gallon cans, and 92 cases, pint cans, of corn oil, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the American Maize Sales Corporation, in part from Wolfe Lake, Ind., in part from Roby, Ind., and in part from Galesburg, Ill., and transported from the States of Indiana and Illinois, respectively, into the State of Washington, arriving at Seattle on or about September 1, 1928, November 9, 1928, and December 15, 1927, respectively, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "(Cans) 'Amazo Amazing For Salads and Cooking A superior Corn Oil Manufactured By American Maize Products Co., New York, Chicago Contents One Quart' (or 'Contents ½ Gal.' or 'Contents One Gallon,' or 'Contents One Pint')."

It was alleged in the libel that the article was misbranded in that the statements, "Contents 1 Quart," "Contents ½ Gallon," "Contents 1 Gallon," and

"Contents 1 Pint," borne on the labels, were false and misleading and deceived and misled purchasers thereof. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On February 4, 1929, the American Maize Products Co., Wolfe Lake, Ind., having appeared as claimant for the property, and the court having found that the product had been mislabeled as to capacity through inadvertence and mistake, judgment was entered ordering that the product be released to the said claimant upon the execution of a bond in the sum of \$5,000, conditioned in part that it be emptied into drums under the supervision of this department and sold as "Drum Oil."

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16301-16325

Alfalfa meal. <i>See</i> Feed.			
Butter:	N. J. No.		
Lange Creamery.....	16315		
Sheridan Creamery Co.....	16313		
Swift & Co.....	16302, 16311		
Turner, W. E.....	16316		
Calf ration. <i>See</i> Feed.			
Catsup. <i>See</i> Tomato catsup.			
Cherries, canned:			
Fredonia Salsina Canning Co.....	16301		
Chestnuts. <i>See</i> Nuts.			
Chicken greens. <i>See</i> Feed.			
Corn oil. <i>See</i> Oil.			
Cottonseed meal. <i>See</i> Feed.			
Dates:			
Marvin, W. H., Co.....	16304		
Egg mash. <i>See</i> Feed.			
Feed—			
alfalfa meal:			
California Hawaiian Milling Co.....	16319		
calf ration:			
Deal Bros. Milling Co.....	16322		
chicken greens:			
California Hawaiian Milling Co.....	16319		
cottonseed meal:			
Fort Smith Cotton Oil Co.....	16321		
egg mash:			
Deal Bros. Milling Co.....	16322		
Jersey brand egg mash:			
Deal Bros. Milling Co.....	16322		
Wilson Special Dairy 20 per cent:			
Deal Bros. Milling Co.....	16322		
Figs:			
Crisafulli, G.....	16324		
Fish—			
sardines, canned:	N. J. No.		
Haas Guthman Co.....	16314		
Nuts—			
chestnuts:			
Hogan, M. J., Co.....	16308		
Payne Produce Co.....	16305		
Sgobel & Day.....	16306		
pecan halves:			
Duerler, G. A., Mfg. Co.....	16309		
walnut halves:			
Habicht Braun & Co.....	16307		
walnuts:			
Cooney, W. J., Co.....	16323		
Oil, corn:			
American Maize Sales Corporation..	16325		
olive:			
Gash, A., & Co.....	16312		
salad:			
Gash, A., & Co.....	16303, 16312		
Olive oil. <i>See</i> Oil.			
Pecan halves. <i>See</i> Nuts.			
Raspberries, canned:			
Hood River Canning Co.....	16310		
Salad oil. <i>See</i> Oil.			
Sardines. <i>See</i> Fish.			
Tomato catsup:			
Kemp Bros. Packing Co.....	16317		
Vinegar:			
Robb Ross Co.....	16320		
Walnut halves. <i>See</i> Nuts.			
Walnuts. <i>See</i> Nuts.			
Wilson Special Dairy 20 per cent. <i>See</i> Feed.			

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16326-16350

[Approved by the Secretary of Agriculture, Washington, D. C., October 2, 1929]

16326. Misbranding of tomato catsup. U. S. v. 47 Cases of Tomato Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23539. I. S. No. 05430. S. No. 1785.)

On March 21, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 47 cases of tomato catsup, remaining in the original and unbroken packages at Hamilton, Ohio, alleging that the article had been shipped by the Lippincott Co. from Boonville, Ind., October 30, 1928, and transported from the State of Indiana into the State of Ohio and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles or jugs) "Fort Hamilton Brand * * * Tomato Catsup Guaranteed Free from Artificial Color."

It was alleged in the libel that the article was misbranded in that the designation "Tomato Catsup" and the statement "Guaranteed Free from Artificial Color," borne on the label, were false and misleading and deceived and misled the purchasers thereof.

On March 25, 1929, the Lippincott Co., Cincinnati, Ohio, having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of cost and the execution of a bond in the sum of \$400, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16327. Adulteration and misbranding of feed. U. S. v. Southern Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 22571. I. S. Nos. 14680-x, 14681-x, 16120-x.)

On October 17, 1928, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about October 25, 1927, from the State of Georgia into the State of South Carolina, and on or about November 21, 1927, from the State of Georgia into the State of North Carolina, of quantities of feed which was adulterated and misbranded. The article was labeled in part, variously: (Tags) "Huron (or "Rexall" or "Bronco") Horse & Mule Feed * * * Manufactured by Southern Milling Co., Augusta, Ga. Guaranteed Analysis Protein 9% (or "10%") * * * Ingredients * * * Alfalfa Meal."

It was alleged in the information that the article was adulterated in that a substance containing no alfalfa meal, with respect to a portion of the product, and but a mere trace of alfalfa meal, with respect to the remainder thereof,

and which was deficient in protein in that it contained less than the declared amount of protein, had been substituted for an article containing alfalfa meal, and containing 9 per cent or 10 per cent, as the case might be, of protein, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis: Protein 9%," "Guaranteed Analysis Protein 10%," and "Ingredients * * * Alfalfa Meal," borne on the labels of the respective lots, were false and misleading in that the said statements represented that the article contained the declared amount of protein and contained a substantial amount of alfalfa meal, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained the declared amount of protein and contained a substantial amount of alfalfa meal, whereas the said article contained less protein than the declared 9 per cent or 10 per cent, as the case might be, and contained in a portion thereof no alfalfa meal, and in the remainder thereof but a mere trace of alfalfa meal.

On March 18, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16328. Adulteration of shell eggs. U. S. v. 8 Cases, et al., of Shell Eggs. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 22934, 22959. I. S. Nos. 0817, 0818, 0820. S. Nos. 1013, 1031.)

On July 31 and August 4, 1928, respectively, the United States attorney for the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 23 cases of shell eggs at Birmingham, Ala., alleging that the article had been shipped by the H. E. Noel Produce Co., in part from Baldwyn, Miss., and in part from Corinth, Miss., in two consignments, on July 25, 1928, and July 28, 1928, respectively, and transported from the State of Mississippi into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From H. E. Noel Produce Company Baldwyn (and 'Corinth') Mississippi."

It was alleged in the libels that the article was adulterated in that it consisted wholly or in part of a filthy and decomposed animal substance.

On October 11, 1928, the H. E. Noel Produce Co., Baldwyn, Miss., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$600. It was further ordered by the court that the eggs be recandled and inspected by a representative of this department and sold only after such inspection and approval by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16329. Misbranding of tomato puree. U. S. v. 12 Cases of Tomato Puree. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 23450. I. S. No. 02672. S. No. 1659.)

On February 21, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 cases of tomato puree, remaining in the original unbroken packages at Rochester, N. Y., alleging that the article had been shipped by the Phillips Sales Co., Laurel, Del., October 25, 1928, and transported from the State of Delaware into the State of New York, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Tomato Puree Packed by the Davis Canning Company, Laurel, Delaware; made from whole tomatoes and tomato trimmings; contents 6 lbs., 10 ozs., U. S. Government Pure Food Act Requirements Guaranteed."

It was alleged in the libel that the article was misbranded in that the statements, "Contents 6 lbs., 10 ozs." and "U. S. Government Pure Food Act Requirements Guaranteed," were false and misleading and deceived and misled the purchaser, and in that the article was in package form and the quantity of tomatoes was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On May 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to a charitable institution.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16330. Adulteration of dressed chickens. U. S. v. 7 Barrels of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23000. I. S. No. 01940. S. No. 1087.)

On August 18, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by R. E. Cobb (Co.), from St. Paul, Minn., July 18, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance, in that a portion of the said chickens were emaciated, a portion were green, the infected area extending into the flesh, a portion showed indications of incipient decomposition, and a portion having been insufficiently bled.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16331. Misbranding of grapes. U. S. v. Peppers Fruit Co. Plea of guilty. Fine, \$20. (F. & D. No. 22525. I. S. No. 12660-x.)

On February 14, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Peppers Fruit Co., a corporation, Los Angeles, Calif., trading at Loomis, Calif., alleging shipment by said company, in violation of the food and drugs act as amended, on or about October 27, 1926, from the State of California into the State of Colorado, of a quantity of grapes which were misbranded.

It was alleged in the information that the article was misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 14, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16332. Adulteration of grapefruit and oranges. U. S. v. Fruit Distributors (Inc.) Plea of guilty. Fine, \$100. (F. & D. No. 22550. I. S. Nos. 3520-x, 7514-x, 10729-x, 11577-x, 12485-x, 12490-x, 13310-x, 13311-x, 15551-x, 15660-x, 15876-x, 16203-x.)

On June 30, 1928, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fruit Distributors (Inc.), a corporation, trading at Jacksonville, Fla., alleging shipment by said company, in violation of the food and drugs act, between the dates of February 17, 1927, and March 16, 1927, from the State of Florida into the States of Minnesota, Arkansas, Texas, Ohio, Oregon, Kentucky, Maryland, and Georgia, respectively, of quantities of grapefruit and oranges which were adulterated.

It was alleged in the information that the articles were adulterated in that excessively dry fruit had been substituted for grapefruit or oranges, as the case might be, and in that the articles consisted in whole and in part of decomposed vegetable substances.

On December 6, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16333. Adulteration of canned sardines. U. S. v. 6 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23013. I. S. No. 02843. S. No. 1101.)

On August 23, 1928, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of sardines at Albany, N. Y., alleging that the article had been shipped by H. F. Sawyer & Son, Vinalhaven, Me., June 28, 1928, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Three Star Brand * * * Sardines, * * * packed by H. F. Sawyer & Son, Vinalhaven, Maine."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16334. Adulteration of ice cream cones. U. S. v. 31000 Ice Cream Cones. Default decree of destruction entered. (F. & D. No. 21294. I. S. Nos. 3382-x, 3383-x. S. No. C-5237.)

On September 17, 1926, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 31,000 ice cream cones, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Central Cone Co., from Chicago, Ill., August 7, 1923, and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Cartons) "250 Marvel Sugar Egg Cones * * * Manufactured by Central Cone Co., Inc., Chicago." The remainder of the said article was labeled in part: (Cartons) "250 Cenco Cones Sugar Cake Ice Cream Cones * * * From Central Cone Co. Chicago."

It was alleged in the libel that the article was adulterated in that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous ingredient, saccharin, which might have rendered it injurious to health.

On March 7, 1929, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16335. Adulteration and misbranding of feed. U. S. v. Atlantic Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 19674. I. S. No. 16626-v.)

On October 25, 1925, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlantic Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about January 6, 1925, from the State of Georgia into the State of North Carolina, of a quantity of feed which was adulterated and misbranded. The article was labeled in part: (Tag) "Amco Horse and Mule Feed Manufactured By Atlantic Milling Company, Augusta, Ga."

It was alleged in the information that the article was adulterated in that a product composed in part of undeclared peanut hulls and which contained no oats had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis, Protein 10%, Fat 2% * * * Fibre 15%, Ingredients: Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, ½ to 1% Salt," borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the article contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, whereas the said article contained less protein and fat and more fiber than declared, to wit, approximately 7.81 per cent of protein, 1.91 per cent of fat, and 18.97 per cent of fiber, and did not consist wholly of the declared ingredients, but did consist in part of peanut hulls and contained no oats.

On March 19, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16336. Adulteration and misbranding of feed. U. S. v. Atlantic Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 19664. I. S. Nos. 16604-v. 16605-v.)

On January 23, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlantic Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, in two consignments, on or about April 22, 1924, and May 14, 1924, respectively, from the State of Georgia into the State of North Carolina, of quantities of feed which was adulterated and misbranded. The article was labeled in part: "Amco Horse and Mule Feed Manufactured By Atlantic Milling Co. Augusta, Ga. Guaranteed Analysis: Protein 10%, Fat 2% * * * Ingredients: Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, 1/2 of 1% Salt."

It was alleged in the information that the article was adulterated in that a product which contained less than 10 per cent of protein and less than 2 per cent of fat, and which contained no whole oats and very little, if any, alfalfa meal and which contained undeclared cottonseed meal, had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis, Protein 10%, Fat 2% * * * Ingredients, Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, 1/2 to 1% Salt," borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the article was composed wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half of 1 per cent of salt and contained not less than 10 per cent of protein and not less than 2 per cent of fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of the said ingredients, and contained not less than the declared amounts of protein and fat, respectively, whereas the said article was not composed of the said ingredients, but was a product which contained no whole oats and very little, if any, alfalfa meal, and which contained undeclared cottonseed meal, and said article contained less than 10 per cent of protein and less than 2 per cent of fat, the two consignments containing approximately 8.56 per cent and 8.12 per cent of protein, respectively, and 1.10 per cent and 1.85 per cent of fat, respectively.

On March 19, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16337. Adulteration of frozen chickens. U. S. v. 1 Barrel of Frozen Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23146. I. S. No. 04577. S. No. 1251.)

On October 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen chickens at Chicago, Ill., alleging that the article had been shipped by R. E. Cobb (Co.), from St. Paul, Minn., August 27, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16338. Adulteration of frozen chickens. U. S. v. 1 Barrel of Frozen Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23147. I. S. No. 04576. S. No. 1254.)

On October 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen chickens at Chicago, Ill., alleging that the article had been shipped by the (R. E.) Cobb Co., from St. Paul, Minn., July 3, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy animal substance, and in that it consisted in part of a decomposed substance.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16339. Adulteration of dressed chickens. U. S. v. 1 Barrel of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23049. I. S. No. 01944. S. No. 1139.)

On September 5, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of dressed chickens at Chicago, Ill., alleging that the article had been shipped by G. A. Cohenour, from Clinton, Mo., July 27, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed and filthy animal substance and in that it consisted in part of a portion of an animal unfit for food.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16340. Adulteration of walnut meats. U. S. v. 5 Cases, et al., of Walnut Meats. Decrees entered ordering product released under bond. (F. & D. Nos. 23477, 23507, 23520, 23628, 23629. I. S. Nos. 0530, 0545, 0546, 014430, 014433. S. Nos. 1694, 1738, 1760, 1867, 1868.)

On February 26, March 8, March 13, and April 17, 1929, respectively, the United States attorney for the District of Utah, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 15 cases and 30 cartons of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Southern California Supply Co., from Los Angeles, Calif., in various consignments, on or about February 2, February 5, February 15, February 19, and February 25, 1929, respectively, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The cases were labeled in part: "Invincible (or "Invincible Brand") Distributed by the Southern California Supply Co., Inc. (or "Southern California Supply Company in") Los Angeles, Calif. Shelled California Walnuts." The cartons were labeled in part: "Southern California Supply Co."

It was alleged in the libels that the article was adulterated in that it consisted wholly or in part of a filthy and putrid vegetable substance, with respect to a portion of the product, and of a filthy, decomposed, and putrid vegetable substance, with respect to the remainder thereof.

On May 6, 1929, the Southern California Supply Co., Los Angeles, Calif., claimant, having admitted the allegations of the libels, and having paid costs and filed bonds totaling \$1,775, it was ordered by the court that the product be released to the said claimant to be salvaged and sorted under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16341. Misbranding of beef scrap. U. S. v. 15 Bags of Beef Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23556. I. S. No. 012407. S. No. 1804.)

On March 23, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 bags of beef scrap, remaining in the original unbroken packages at Hyattsville, Md., alleging that the article had been shipped by Herbert Bryant's Son, from Alexandria, Va., on or about February 27, 1929, and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Beef Scrap Guaranteed Analysis Protein 50.00% * * * Manufactured by Herbert Bryant's Son, Alexandria, Va."

It was alleged in the libel that the article was misbranded in that the statement "Guaranteed Analysis Protein 50.00%" was false and misleading and deceived and misled the purchaser.

On April 2, 1929, Herbert Bryant's Son, Alexandria, Va., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$150, conditioned in part that it should not be sold or disposed of until relabeled to show its true protein content.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16342. Adulteration of oysters. U. S. v. Joseph L. McCready (J. L. McCready & Co.). Plea of guilty. Fine, \$40. (F. & D. No. 23727. I. S. Nos. 02629, 02632.)

On or about April 12, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph L. McCready, trading as J. L. McCready & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the food and drugs act, on or about November 21, 1928, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part: "Navy Brand Baltimore Oysters J. L. McCready & Co."

It was alleged in the information that the article was adulterated in that a substance, to wit, water, had been substituted in part for oysters, and in that an excessive amount of water had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength.

On May 6, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16343. Adulteration and misbranding of sugar corn, sweet corn, and Country Gentleman corn. U. S. v. Carroon & Co. Plea of guilty. Fine, \$400. (F. & D. No. 22576. I. S. Nos. 8525-x, 15837-x, 15978-x, 15979-x, 19826-x, 19827-x, 19828-x, 21525-x.)

On October 10, 1928, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carroon & Co., a corporation, Fowler, Ind., alleging shipment by said company, in violation of the food and drugs act, in various consignments, between the dates of October 12, 1927, and November 30, 1927, from the State of Indiana into the States of Kentucky, Ohio, Illinois, and New Jersey, respectively, of quantities of canned sugar corn, canned sweet corn, and canned Country Gentleman corn, which were adulterated and misbranded. The articles were labeled in part, variously: "Recall Country Gentleman Sugar Corn * * * Carroon & Co., Fowler, Ind.;" "Our Aim Fancy Country Gentleman Sugar Corn * * * Carroon & Co. Fowler, Ind.;" "Kosciuszko Brand Sweet Corn;" "Empire's Hawthorn Brand Sweet Corn;" "Idyl Brand Country Gentleman Corn;" "Carroon's Fancy Country Gentleman Sugar Corn * * * Packed by Carroon & Co. Inc., Fowler, Ind.;" "Basket Ball Brand Country Gentleman Sugar Corn * * * Packed by Carroon & Co. Inc., Fowler, Ind."

It was alleged in the information that the articles were adulterated in that a substance, to wit, field corn, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength, and had been substituted in part for the said articles. Adulteration was alleged for the further reason that the articles were products inferior to sugar corn, sweet corn, or Country Gentleman corn, as the case might be, to wit, mixtures composed in part of field corn, and were mixed in a manner whereby their inferiority was concealed.

Misbranding was alleged for the reason that the statements to wit, "Country Gentleman Sugar Corn," "Fancy Country Gentleman Sugar Corn," "Sweet Corn," "Country Gentleman Corn," borne on the labels of the respective articles, were false and misleading in that the said statements represented that the articles consisted wholly of fine quality sugar corn, sweet corn, or of Country Gentleman corn, i. e., a variety of sweet corn, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted of fine quality sugar corn, or sweet corn, or of Country Gentleman corn, whereas they did not, but did consist in large part of field corn. Misbranding was alleged for the further reason that the articles

were imitations of and were offered for sale and sold under the distinctive names of other articles.

At the March 1929, term of the said District Court, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$400.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16344. Adulteration of walnut meats. U. S. v. 10 Cartons of Walnut Meats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23325. I. S. No. 0682. S. No. 1446.)

On January 12, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cartons of walnut meats, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped (by the Leon Mayer Co.), from Los Angeles, Calif., and transported from the State of California into the State of Washington, arriving at Seattle on or about December 19, 1928, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Leon Mayer * * * Los Angeles, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

On February 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16345. Adulteration of frozen geese. U. S. v. 1 Barrel of Frozen Geese. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23156. I. S. No. 04582. S. No. 1256.)

On October 23, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 barrel of frozen geese at Chicago, Ill., alleging that the article had been shipped by A. N. Leiberg, from Ellendale, Minn., December 26, 1927, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16346. Adulteration of walnuts. U. S. v. 53 Sacks of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23285. I. S. Nos. 01993, 01995. S. No. 1415.)

On December 31, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 53 sacks of walnuts at Chicago, Ill., alleging that the article had been shipped by the General Cold Storage Co., from Detroit, Mich., November 9, 1928, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy and decomposed vegetable substance, and in that it consisted in part of a putrid substance.

On March 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16347. Adulteration of dressed chickens. U. S. v. 8 Barrels of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22996. I. S. No. 01938. S. No. 1068.)

On August 17, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure

and condemnation of 8 barrels of dressed chickens at Chicago, Ill., alleging that the article had been shipped by the United States Cold Storage, from Kansas City, Mo., July 17, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance, in that it contained emaciated, badly bruised, green, and insufficiently bled birds of a tumorous condition, and diseased fowls that died otherwise than by slaughter.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16348. Misbranding and alleged adulteration of apple butter. U. S. v. 19 Cases of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22861. I. S. No. 26285-x. S. No. 925.)

On July 6, 1928, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 19 cases of apple butter, remaining in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped by the L. Maull Co., from St. Louis, Mo., on or about May 25, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Somore Brand Pure Apple Butter * * * Packed by Louis Maull Co., Food Products, St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that a substance, to wit, arsenic, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength; for the further reason that apple butter containing artificial color had been substituted wholly or in part for pure apple butter which the said article purported to be; for the further reason that the article was colored in a manner whereby damage or inferiority was concealed; and for the further reason that a substance, to wit, arsenic, had been added which might have rendered the article injurious to health.

Misbranding was alleged for the reason that the designation "Pure Apple Butter" was false and misleading and deceived and misled the purchaser when applied to a product containing artificial color and arsenic, and for the further reason that the article was offered for sale under the distinctive name of another article, pure apple butter.

On May 6, 1929, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16349. Adulteration and misbranding of sweet pickles and sweet relish. U. S. v. 9 Cases of Sweet Pickles, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22855. I. S. Nos. 26276-x, 26278-x. S. No. 911.)

On July 6, 1928, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 cases of sweet pickles and 5 cases of sweet relish at West Frankfort, Ill., alleging that the articles had been shipped by Limerick's Wholesale Grocery from St. Louis, Mo., on or about June 7, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part, respectively: "Top Notch Brand Sweet Pickles 7 Oz. Avoir. Packed by L. Maull Co. Food Products St. Louis, Mo.;" "Somore Brand * * * Sweet Relish * * * Packed by L. Maull Co. Food Products St. Louis, Mo."

It was alleged in the libel that the articles were adulterated in that a substance, saccharin, mixed in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the articles, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect their

quality or strength. Adulteration was alleged for the further reason that the articles contained an added poisonous or other deleterious ingredient, saccharin, which might have rendered them injurious to health.

Misbranding of the said sweet pickles was alleged for the reason that the statement on the bottles, "7 Oz. Avoir," was false and misleading and deceived and misled the purchaser when applied to a product containing less than such quantity.

On May 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16350. Adulteration of fowls and chickens. U. S. v. 2 Barrels and 3 Crates of Fowls, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23014. I. S. No. 01941. S. No. 1098.)

On August 22, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 barrels and 3 crates of fowls, and 2 barrels of chickens at Chicago, Ill., alleging that the article had been shipped by the Armour Creameries, from Clinton, Mo., August 1, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, and in that it was the product of a diseased animal.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16326-16350

Amco horse and mule feed. <i>See</i> Feed.	
Apple butter:	N. J. No.
Maull, L., Co.....	16348
Beef scrap. <i>See</i> Feed.	
Catsup. <i>See</i> Tomato catsup.	
Chickens. <i>See</i> Poultry.	
Cones. <i>See</i> Ice cream cones.	
Corn, canned:	
Carroon & Co.....	16343
Eggs:	
Noel, H. E., Produce Co.....	16328
Feed:	
Atlantic Milling Co.....	16335, 16336
Southern Milling Co.....	16327
Amco horse and mule feed:	
Atlantic Milling Co.....	16336
beef scrap:	
Bryant's, Herbert, Son.....	16341
Fish—	
sardines, canned:	
Sawyer, H. F., & Son.....	16333
Fowls. <i>See</i> Poultry.	
Geese. <i>See</i> Poultry.	
Grapefruit:	
Fruit Distributors.....	16332
Grapes:	
Peppers Fruit Co.....	16331
Ice cream cones:	
Central Cone Co.....	16334
Nuts—	
walnut meats:	
Mayer, Leon, Co.....	16344
Southern Calif. Supply Co.....	16340

Nuts—Continued.	
walnuts:	N. J. No.
General Cold Storage Co.....	16346
Oranges:	
Fruit Distributors.....	16332
Oysters. <i>See</i> Shellfish.	
Pickles, sweet:	
Limerick's Wholesale Grocery.....	16349
Poultry:	
Armour Creameries.....	16350
dressed:	
Cobb, R. E., Co.....	16330
Cohenour, G. A.....	16339
United States Cold Storage.....	16347
frozen:	
Cobb, R. E., Co.....	16337, 16338
Leiberg, A. N.....	16345
Puree. <i>See</i> Tomato puree.	
Relish, sweet:	
Limerick's Wholesale Grocery.....	16349
Sardines. <i>See</i> Fish.	
Shellfish—	
oysters:	
McCready, J. L.....	16342
McCready, J. L., & Co.....	16342
Tomato catsup:	
Lippincott Co.....	16326
puree:	
Phillips Sales Co.....	16329
Walnut meats. <i>See</i> Nuts.	
Walnuts. <i>See</i> Nuts.	



United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16351—16375

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 13, 1929]

16351. Misbranding of Flu-Zone. U. S. v. 20 Dozen Bottles of Flu-Zone. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23548. I. S. No. 07787. S. No. 1789.)

On or about March 22, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 dozen bottles of Flu-Zone, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped (by the R. B. Pettijohn Co.) from Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Seattle on or about December 1, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, ammonium carbonate, menthol, chloroform, and traces of extracts of plant drugs including capsicum, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Bottle) "Flu-Zone;" (carton) "Flu-Zone * * * Common Cough * * * should be treated at the start thus avoiding more serious complications. Flu-Zone * * * may be taken with perfect safety * * * The first sneeze is a warning to start taking Flu-Zone and continue taking it until the system is restored to its normal healthy condition * * * Flu-Zone."

On April 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16352. Adulteration and misbranding of Optolactin tablets. U. S. v. 10 Bottles of Optolactin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23250. I. S. No. 05068. S. No. 1360.)

On December 19, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 bottles of Optolactin tablets at Chicago, Ill., alleging that the article had been shipped by Fairchild Bros. & Foster, from New York, N. Y., October 29, 1928, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained an insufficient number of organisms to be efficacious in the treatment of disease.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold in that the article was sold under the following standard: (Carton and bottle label) "A preparation of the *Bacillus Bulgaricus*, Type A * * * and of a selected established strain of the *Bacillus Acidophilus* * * * Optolactin will retain its activity up to the date specified. Dec. 29, 1928;" (circular) "Optolactin is composed of mixed cultures of the *Bacillus Bulgaricus*, type A, and of *Bacillus Acidophilus*. * * * This product, Optolactin, will enable those who attach a special importance to the *Bacillus acidophilus* to try it in combination with bacilli already well known. * * * Optolactin has all the qualities of the *Bacillus bulgaricus* * * * with such new and important properties as may be derived from the inclusion of the *Bacillus acidophilus*. This Optolactin presents the mixed cultures of these lactic organisms in an effective form, viable to the period dated."

Misbranding was alleged in the libel for the reason that the statements above quoted, borne on the carton and bottle label and in the circular, and the following statements borne in the circular, "The five-grain tablet of Optolactin has a content of the Bulgarian bacilli, type A, * * * with the associated *Bacillus acidophilus*. * * * in chronic cases its systematic ingestion is desirable; in acute cases until the desired result is obtained," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents or combinations effective among other things as a remedy for the diseases, ailments, and afflictions mentioned. The misbranding charges recommended by this department relative to the product were that the statements (circular) "In Chronic cases its systematic ingestion is desirable; in acute cases until the desired result is obtained," were false and fraudulent, and that the remainder of the statements from the labels quoted and referred to in the preceding paragraph were false and misleading.

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16353. Misbranding of Adamson's botanic cough balsam. U. S. v. 92 Bottles of Adamson's Botanic Cough Balsam. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23538, I. S. No. 03545. S. No. 1728.)

On March 18, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 92 bottles of Adamson's botanic cough balsam, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by the F. W. Kinsman Co., from Elmira, N. Y., on or about December 8, 1928, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a sirup containing capsicum, tartar emetic, resinous material, including gum myrrh and guaiac, and a trace of alkaloids, water, and alcohol (1.4 per cent).

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "Hoarseness, Ordinary Sore Throat * * * Whooping Cough * * * Coughs * * * Bronchitis," (wrapper) "For * * * Sore Throat, Bronchitis, Bleeding and Soreness of Lungs, Whooping Cough * * * Coughs * * * Mal de Garganta, Bronquitis, Sangradura y Lastimadura de los Pulmones, Tos Ferina," (circular) "For * * * Sore Throats. * * * Bronchial and Lung Trouble * * * It is well known that the germs of * * * pneumonia and throat troubles are nearly always present in the air."

They exist in the dust of the streets and gutters everywhere and float in the air of many factories and other buildings. Every one, in the course of daily occupation, is constantly exposed to them. * * * let Nature be handicapped by a * * * catarrhal condition of the bronchial tubes or lungs, and she becomes unable to resist so successfully the invasion of disease germs which * * * find comparatively easy lodgment in the already weakened and diseased membranes of throat and lungs. The obvious moral * * * to treat them promptly and vigorously. * * * often the practice of 'wearing off' a cold, cough, or sore throat, results seriously, even fatally. Everyone is more or less frequently subjected to cold of a catarrhal nature and the neglect of these is responsible for more of the existing throat troubles and other serious sickness than probably any other cause of disease. Give Nature Her Fighting Chance * * * Treat It At Once. * * * For Sore Throat," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16354. Adulteration and misbranding of *Bacillus acidophilus*. U. S. v. 22 Bottles of *Bacillus Acidophilus*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22987. I. S. No. 01962. S. No. 1074.)

On August 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 bottles of *Bacillus acidophilus* at Chicago, Ill., alleging that the article had been shipped by G. H. Sherman, from Detroit, Mich., July 14, 1928, and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in substance in the libel that the article was adulterated in that it was intended to be used for medicinal purposes, that is to say it was labeled, "*Bacillus Acidophilus* Sherman A live, high concentrated polyvalent culture of the *Bacillus Acidophilus*," which said article was falsely and fraudulently misbranded in that the said statements were applied knowingly and in reckless and wanton disregard of truth or falsity, so as to represent falsely and fraudulently to the purchaser that it was in whole or in part composed of or contained organisms necessary for the culture of *Bacillus acidophilus* intended for medicinal use, whereas it did not contain the necessary amount of organisms necessary for the culture of *Bacillus acidophilus* intended for medicinal use.

The charges recommended by this department against the product were that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "A highly concentrated culture of the *Bacillus acidophilus*," and in that it was misbranded in that the statement "A highly concentrated culture of the *Bacillus Acidophilus*" was false and misleading.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16355. Misbranding of Turner's Inflammazine. U. S. v. 16 Dozen Jars of Turner's Inflammazine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23355. I. S. No. 05761. S. No. 1495.)

On January 30, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 dozen jars of Turner's Inflammazine, remaining in the

original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Math-Ol Inflammacine Co., Rochester, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a petrolatum base containing menthol, camphor, methyl salicylate, and volatile oils including spearmint and eucalyptus.

It was alleged in the libel that the article was misbranded in that the following statements, appearing on the jar labels, cartons, and in the accompanying circular and leaflet, regarding the curative and therapeutic effects of the said article, (display cards in shipping package) "Influenza! Public Warned to Take Precautions! Timely Use of 'Turner's Inflammacine' Has Saved Thousands," "Turner's Inflammacine * * * Catarrh—Grippe Internal and External Inflammation It's Guaranteed," "Influenza—Grippe Danger By No Means Over Protect Yourself Now. 'Turner's Inflammacine' Applied to Membranes of Nose and Throat Acts as a Preventive and Cuts Short the Acute Stage," (circular) "Possible Second Influenza Outbreak Considered by Officials Second Epidemic in 1918 Was Worse Than First—Plan to Combat this Menace Now. Public Health officials have already been considering plans with a view to prevent a possible second and more serious wave of Influenza. For the week ending Dec. 15 the percentage of cases in the United States was as great as at the peak of the epidemic in 1920. In 1918 Influenza and Pneumonia were directly responsible for 500,000 deaths. Local People Warned to Play Safe—Quick Action Necessary. Do not be careless about colds, no matter how slight, for a cold immediately lowers the body resistance, making it more possible for Influenza germs to enter the system. * * * remarkable remedy to prevent and arrest * * * Chills, Coughs, Flu and Bronchitis. * * * can be applied to inside of nose and throat, Where the Greatest Risk of Influenza Lies. * * * it is just the very thing you should have on hand at this critical time. * * * Influenza Still Raging! Health Authorities Advise Continued Precaution as Isolated Outbreaks May Be Expected. Contagion spreads by infection of respiratory organs. The living virulent influenza germs are readily conveyed from one person to another. These germs lodge in nose, throat, and other air passages and as the mucous excretions are discharged the living germs go with them. When coughing or sneezing the nose and mouth should be covered to avoid risk to others. Warning: Do not become alarmed. Exercise care and give every attention to your nose and throat. Breathe through the nose previously applying a little Inflammacine to the nostrils. * * * at the entrance to the system. * * * Symptoms: Chill, Sneezing, Coughing, Depression, Headache and Cold with slight fever. When these appear get a jar of Inflammacine: take a good hot bath, mild laxative, hot lemonade and go to bed. Important Advice: The symptoms indicate that the germ has entered your system. Follow these simple directions and you'll soon be well. * * * Apply Inflammacine frequently to membranes of nose and throat. This is just as important as bath and hot drinks. Inflammacine should also be freely applied to throat, chest and back and rubbed in gently but thoroughly. This will minimize risk of even more serious troubles. A little Inflammacine melted in mouth and slowly swallowed will soothe and heal and makes coughing and expulsion of phlegm easy. No Need to Fear Influenza Now. Your Druggist Advises Keeping Inflammacine Handy. The danger from Influenza is by no means over and medical authorities advise the public to be on guard and take precautions. Influenza is usually contracted by germs entering nose and throat. Turner's Inflammacine applied to mucous membranes of nose and throat not only wards off Influenza but also relieves and soothes inflamed membranes, permitting easy expulsion of germ infected phlegm. * * * Influenza Grippe You know that the Flu and Grippe are caused by germs entering the system through the nose and throat. Prevention Is Better Than Cure—and cheaper too. For a few cents you can get a jar of Turner's Inflammacine and be safe. * * * Prevent Influenza An overnight treatment with 'Inflammacine' will work wonders by morning," (shipping carton) "Inflammacine Relieves Congestion, Inflammation, * * * Sore Throat, Chest Pains," (leaflet) "Asthma * * * Boils * * * Bronchitis * * * Catarrh of Nose or Throat * * * Cold Sores * * * Congestion * * * Coughs * * * If cough harasses Chest * * * Croup to prevent Croup * * * Eczema * * * Fever. If arising from colds treat as for Chest Colds * * * Grippe * * * Hay Fever. Relief will be immediate by application of

Inflammacine to nostrils as often as possible * * * Headache. Relieved by free application of Inflammacine to forehead, temples and bridge of nose. Hemorrhoids * * * Hoarseness * * * Hives * * * Inflammation * * * Influenza * * * Inflammacine for Internal and External Inflammation or Congestion * * * We use it for * * * catarrh * * * have found it very valuable in relieving Catarrh * * * Infected heels in horses * * * for speedcracks * * * On udders of milk cows when caked and for chapped teats and cowpox * * * Inflammacine * * * Laryngitis * * * Lumbago * * * Muscles Stiff * * * whether caused by * * * rheumatism can be limbered up by (1) application of warm moist cloths; (2) spread Inflammacine freely and massage; (3) cover with warm flannel. * * * Nasal catarrh * * * Neuritis * * * Nose * * * Catarrh and Hay Fever, Piles * * * Pimples * * * Quinsy * * * Rash * * * Sneezing * * * Hay Fever * * * Sore Throat (Hoarseness Laryngitis, Tonsilitis, Quinsy) * * * Stiff neck * * * Throat * * * Tic Douloureux. See Neuralgia Tonsilitis * * * have peculiarly penetrating remedial and curative properties * * * Whooping Cough. Confine patient to bed in well ventilated room and isolate. Give quarter teaspoonful Inflammacine to be slowly dissolved in mouth and swallowed. Apply Inflammacine freely to throat and chest, rubbing in thoroughly, also rub back. Cover with warm flannel. Inhale vapors (see Vapors). Do this 3 or 4 times daily. The cough will be lessened and the throat relieved if directions are followed. Wounds * * * Punctured (made by pointed instrument); Lacerated (torn—frequently by machinery)—Contused (result of a bruise)—Poisoned (any made by poisoned instrument, rusty nail, etc. * * * Rheumatism. The aches and pains are relieved and often banished forever by treatment as shown under Lumbago * * * Sciatica," (top of jar) "Inflammacine * * * inflammation," (label around jar) "Catarrh, Sore Throat, Tonsilitis, and Quinsy, Common Coughs, Croup and Whooping Cough, Chest Pains, * * * Neuralgia, Muscular Rheumatic Pains. * * * Skin Troubles and Eczema," (carton) "Inflammacine * * * for Internal and External Inflammation * * * Inflammacine for inflammation * * * Common Sore Throat, Tonsilitis, Quinsy, Influenza, * * * and Pneumonia, Croup and Whooping Cough * * * Catarrh with Sneezing and Coughing, Hay Fever, Skin Troubles, Aches and Pains," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16356. Misbranding of Lungremed. U. S. v. 42 Bottles of Lungremed. Default decree of condemnation, forfeiture, and destruction (F. & D. No. 23481. I. S. No. 07537. S. No. 1645.)

On March 6, 1929, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 42 bottles of Lungremed, remaining in the original unbroken packages at Port Arthur, Tex., alleging that the article had been shipped by Dr. W. D. Stokes, from Baton Rouge, La., January 7, 1929, and transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium and potassium salts, carbonates, iodides, and creosote flavored with oil of peppermint.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, to wit, (bottle label) "Lungremed * * * For Tuberculosis, Asthma, Bronchitis, * * * Coughs, Hay Fever and Flu," (booklet) "Lungremed * * * for Tuberculosis, Asthma, Bronchitis, Hay Fever, Flu, * * * and Coughs * * * Tuberculosis. Take according to directions prescribed on bottle. In case of Hemorrhages take tablespoonful. Lungremed has in prac-

tically all cases given instant relief from lung hemorrhages. Symptoms of Recovery. Excess expectoration from the lungs may be expected, patient ceases coughing, gradual disappearance of temperature, gain of appetite and increase in weight. Asthma. Take Lungremed according to directions. If attacked by smothering * * * Bronchitis * * * and Coughs. Follow directions closely as prescribed on bottle. In case of incessant coughing sip a small amount of Lungremed. In most cases this has proven very effective in giving relief. Hay Fever and Flu. Follow directions on the bottle. * * * I contracted Asthma. * * * During the four years that I had Asthma I was unable to lie in my bed and sleep and was compelled to spend night after night in a chair, as I was able to sleep only in an upright position. * * * I * * * discovered a preparation which entirely cured me and which has been trade marked 'Lungremed.' * * * after curing myself of Asthma an abscess formed on my lungs. * * * I again resorted to my 'Lungremed' and the results were marvelous; in a short time I was completely cured and am now enjoying the best of health. The * * * evidence of the results from 'Lungremed' is the fact that * * * the * * * Insurance Company issued to me an ordinary life insurance policy, * * * During the * * * time 'Lungremed' has been on the market the results obtained by its many users have exceeded my greatest expectations; * * * if 'Lungremed' is taken according to directions anyone suffering from Tuberculosis, Asthma, Bronchitis, Hay Fever, etc., will be greatly benefited. * * * and see the results obtained from the use of 'Lungremed' in the treatment of Tuberculosis, Asthma, Bronchitis, Hay Fever, Flu, * * * and Coughs. * * * my son was taken sick with Typhoid Pneumonia. * * * the Doctors pronounced him Tubercular * * * I brought him out of the Hospital in a wheel-chair * * * he had to be carried into the house. I immediately began giving him 'Lungremed.' In only a short time my boy was able to walk about and from then on his condition rapidly improved until he was able to return to work * * * He has lost no time since resuming work * * * has picked up in weight from 124 pounds before being sick to 145 pounds at the present time. * * * 'Lungremed.' It is a God-send to sufferers from Lung trouble. * * * friends * * * whom I have recommended 'Lungremed' * * * have obtained wonderful results. * * * I was a * * * sufferer of Asthma and was advised to take 'Lungremed.' After I started taking your medicine I had only one Light attack of Asthma. Since taking several bottles of 'Lungremed' the results have been wonderful. I feel fine and never have even a symptom of Asthma and as a result I firmly believe I am cured. * * * I had been a constant sufferer of Hay Fever. * * * I bought a bottle of your 'Lungremed' and took it * * * Since then I have never been troubled with even the symptoms of Hay Fever. As a result I believe I am entirely immuned of the dreaded malady. * * * I have taken one bottle of 'Lungremed' and it did me lots of good. Before taking it I had a little cough and pains in my chest but 'Lungremed' stopped them at once. * * * 'Lungremed' * * * others who suffer with chronic coughs * * * what wonderful results I have had from 'Lungremed.' * * * feeling so fine after taking the bottle of 'Lungremed' * * * I have not had an attack of Hay Fever since I have taken the first dose. My Hay Fever had been with me seven years when I went to your home and the day I called at your house I was suffering tortures; eyes and nose running clear watery stuff and I was sneezing every few minutes. At nights it was impossible to get a good night's sleep without propping myself up in bed. Sometimes I could hardly get my breath. Every time I made a trip into the country or in the woods I would pay dearly for it through loss of sleep and suffering. * * * After all this suffering and inconvenience, * * * I must be thankful for having learned of 'Lungremed' and given it a trial. * * * this great medicine for * * * one suffering from Hay Fever * * * my * * * son was a sufferer from Asthma * * * nothing seemed to relieve him until I tried your 'Lungremed.' After using four bottles according to directions on bottle he has apparently been cured with no return of the Asthma for the past nine months. * * * I had a hemorrhage from the Lungs and my Doctor thought I could not live. I was advised to take Lungremed and since taking several bottles I have gained in weight and feel like a new person. * * * I have suffered tortures with Hay Fever and Asthma. * * * my son * * * bought a bottle and sent me to try. The relief I have enjoyed is certainly wonderful. During the entire summer there are very few nights that I have been able to lie down

for years. Not since I began the 'Lungremed' has my rest been disturbed. * * * I was a sufferer of Asthma and was advised to try 'Lungremed.' It acted like a charm. After taking my first bottle I was entirely relieved of smothering spells. I have taken four bottles and never have even a symptom of Asthma. * * * I had throat and bronchial trouble so badly that I coughed all the time. I could speak only in a whisper. * * * I tried your 'Lungremed' and commenced to improve at once. I soon got my voice back to normal and after taking several bottles I am entirely well. * * * I was sick all the time. I coughed every breath; I was thin and pale and had no appetite. * * * A friend * * * told me of your 'Lungremed' and after taking seven bottles the doctors pronounced me well. * * * everyone who suffers from Lung trouble might know of this wonderful medicine. * * * few months ago after being X rayed it was found he had a spot on one of his lungs, * * * We were told * * * of your wonderful medicine * * * At the time he started to take this medicine he weighed 96 pounds and in six weeks time he weighed 108 pounds. * * * after an X-ray examination we were surprised to have the Doctor pronounce him cured. * * * what a blessing and God-send your medicine is to this terrible disease. * * * I suffered from Asthma and was in bed most of the time. * * * A friend advised me to take your 'Lungremed,' * * * After taking two bottles of this wonderful medicine I can say that I am completely cured. * * * I was an invalid and my doctor pronounced my case tuberculosis. I grew worse all the time * * * I heard about * * * 'Lungremed' * * * After taking three bottles, my cough stopped, I had gained 15 pounds and I was pronounced cured. * * * I am still entirely well. * * * I have been a sufferer of Asthma for about thirty years * * * A lady * * * told me about Dr. W. D. Stokes' 'Lungremed.' * * * my friend * * * ordered two bottles of 'Lungremed.' I commenced taking it regularly. * * * By the time I took the third bottle I did not feel the Asthma any more and now I am so thankful that I can go to church at night and enjoy myself. * * * I suffered from Asthma. I could not sleep for coughing and smothering. I tried your Asthma medicine and after taking two bottles I was completely cured. * * * I am now well * * * one suffering with Asthma not to give up until they have tried this wonderful medicine. * * * I was an invalid * * * They all said I had tuberculosis. I had several severe hemorrhages from the lungs and was so weak I could scarcely walk. * * * A friend asked me to try your 'Lungremed,' which I did. To my surprise I started improving right away. At the time I started taking this medicine I weighed only 90 pounds and after taking several bottles I weighed 125 pounds; feel fine * * * I was laid up for eight weeks with a very bad case of Bronchitis. Six weeks of this time I was forced to spend the night in a chair as I almost choked to death when I tried to lie down in bed. * * * Mr. L. U. Babin * * * sent me a bottle of 'Lungremed.' I started taking at once and it acted like a charm. One bottle put me on my feet and all my friends were surprised at my speedy recovery. I highly recommend 'Lungremed' to anyone suffering from any disease of the lungs, throat or bronchial tubes. Your medicine is a God-send to suffering humanity," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to falsely and fraudulently represent to purchasers and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in diseases, affections, and conditions therein named and referred to for treatment.

On April 2, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16357. Misbranding of Iophene. U. S. v. 47½ Dozen Bottles, et al., of Iophene. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23525. I. S. No. 0883. S. No. 1605.)

On March 19, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 47 $\frac{1}{4}$ dozen small bottles and 5 $\frac{3}{4}$ dozen large bottles of Iophene, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Mayer Bros. Drug Co., St. Louis, Mo., in 3 consignments, on or about December 29, 1928, and January 12 and January 18, 1929, respectively, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of small amounts of phenol, iodides, and menthol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling were false and misleading, "A solution of the * * * antiseptics. * * * Iodine," since the product contained no free iodine, and "A powerful prophylactic against the infection of influenza and allied diseases, valuable in maintaining antiseptics of the nose, mouth, and pharynx, which is so important to prevent complications. * * * To be used undiluted as a spray or gargle three times a day to prevent infection." Misbranding was alleged for the further reason that the following statements, appearing on the labeling, regarding the curative and therapeutic effects of the article, "A powerful prophylactic against the infection of influenza and allied diseases, valuable in maintaining antiseptics of the nose, mouth, and pharynx, which is so important to prevent complications. * * * To be used undiluted as a spray or gargle three times a day to prevent infection," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On April 24, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16358. Misbranding of Warren's Wonder Workers. U. S. v. 9 Dozen Retail Cartons of Warren's Wonder Workers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23570. I. S. No. 07794. S. No. 1824.)

On April 2, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 dozen retail cartons of Warren's Wonder Workers, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by S. Pfeiffer Mfg. Co., St. Louis, Mo., February 19, 1929, and transported from the State of Missouri into the State of Washington, arriving at Seattle on or about February 24, 1929, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1.7 grains per capsule), quinine, sodium and potassium salts, bromides, and aloe.

It was alleged in the libel that the article was misbranded in that the following statement on the carton, "Contains no quinine," was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton) "Treatment of * * * Coughs, LaGrippe, Influenza * * * use them to prevent * * * Influenza * * * to relieve * * * an attack of LaGrippe," (circular) "Good for * * * Neuralgia," were false and fraudulent.

On April 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16359. Misbranding of Owen's oil. U. S. v. 3 Dozen Packages of Owen's Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23476. I. S. No. 05694. S. No. 1677.)

On March 1, 1929, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen packages of Owen's oil, remaining in the original unbroken packages at Charlotte, N. C., alleging that the article had been shipped by the Carolina Chemical Co., from Union, S. C., on or about February 1, 1929, and transported from the State of South Carolina into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article showed that it consisted essentially of lard oil and some other fatty substance containing a small amount of menthol.

It was alleged in the libel that the article was misbranded in violation of section 8, paragraph 3, of the said act as amended in that the labeling bore the following statements regarding the curative and therapeutic effects of the said article which were false and fraudulent: (Jar label) "For * * * Rheumatic Pain * * * for Swollen Joints, Stiff Joints, Neuralgia, Stiff Neck, Tonsilitis, Bronchial Cough, Pleurisy, Croup, * * * Lumbago, Cramps, Arthritis, * * * Flu, Asthma, Earache, Toothache, Infantile Paralysis * * * Apply 2 or 3 times daily, or more frequently if necessary;" (carton) "For * * * Rheumatic Pain * * * for Rheumatism * * * Apply two or three times daily or more frequently if necessary. * * * Apply Owen's Oil by rubbing until it is absorbed through the skin. * * * for Lumbago, Swollen Joints, Stiff Joints, Neuralgia, Stiff Neck, Tonsilitis, Bronchial Cough, Pleurisy, Croup * * * Flu, Asthma, Toothache, Cramps, Arthritis * * * Earache, Infantile Paralysis;" (circular) "For * * * Tonsilitis, Bronchial Cough, Pleurisy, Croup, Arthritis * * * Flu, Asthma, Earache, Toothache * * * Lumbago, Rheumatism, Stiff Joints, Swollen Joints, Stiff Neck, Neuralgia, Cramps, * * * Infantile Paralysis * * *. Its action is * * * efficient * * *. Remarkable in Its Relief of Rheumatism. The excesses of present-day life—overexertion and overeating are causing an increasing number of people every year to suffer from rheumatism. The success of Owen's Oil in driving away rheumatic pain, in reducing inflammation, and restoring the action of creaky joints * * * has been amazing. It literally drives out the cause of pain! When your rheumatism comes on * * * rub in Owen's Oil * * * until it is absorbed through the skin. Do this two or three times a day or more often if necessary. In severe cases it may be necessary to keep up this daily treatment for several weeks * * * Lumbago and Sciatica. These are two varieties of rheumatism—lumbago attacking the muscles of the loins with sharp pains, whereas sciatica is most likely to affect the hips or thighs. Before applying Owen's Oil it is well to massage the painful area thoroughly to aid the action of the ingredients. * * * Owen's Oil sends fresh pure blood to wash out fatigue poisons and rebuild broken-down tissues in such cases. Stiff and Swollen Joints—Stiff Neck. Owen's Oil has such intense penetrating qualities that it affords wonderful relief to sufferers from stiff and swollen joints. Its acts as a lubricant, stimulating the muscles and the joints by drawing away impurities and forcing the flow of fresh, pure blood. Apply it just as directed for rheumatism, massaging gently the joint to aid the action of the medicine. * * * For every sort of muscular pain, Owen's Oil affords marvelous results. * * * It is invaluable in relieving cramps * * * for Flu, Tonsilitis, and Bronchial Cough * * * in thinking of it as a remedy for * * * flu, tonsilitis, and bronchial coughs, it must be remembered that all of these troubles are caused by one thing—congestion. Normal circulation must be restored—purified blood sent to the affected areas—and the congestion eliminated before relief can be secured. Owen's Oil is applied externally to the chest and throat and its vapors are inhaled * * * after Owen's Oil has been rubbed in, will greatly aid its action and speed up recovery. * * * Among the many other ailments for which Owen's Oil has proven effective are Neuralgia, Asthma, Arthritis, Pleurisy, Earache, and Toothache. * * * A prompt application of Owen's Oil * * * invariably restores the natural curative action of the body and clears up the trouble. Owen's Oil also affords prompt relief from female pains. * * * One of the most marvelous results of Owen's Oil is in the many cases where it has aided

recovery from infantile paralysis * * * this simple remedy has brought such results. * * * [testimonials] My daughter suffered with rheumatism * * * She tried Owen's Oil and she did not use one jar until she was able to work. For Rheumatism—the Best Remedy We Ever Found. * * * my wife and I have used it for rheumatism. * * * My knees were very badly sprained * * * I decided to use Owen's Oil * * * I was relieved of all pain. * * * One Application Relieved Tonsilitis. I have been bothered with my tonsils for several years. After one application with Owen's Oil, it gave me relief, and now my tonsils feel completely well. * * * Used one Jar * * * Pain Has Not Returned. I had rheumatism in my right knee. It was swollen about twice the size of the other knee, pained me day and night * * * I used one jar of Owen's Oil * * * it cured me sound and well and the pain has not returned. * * * A Neuralgia Sufferer Writes. I have used one jar of your Owen's Oil and I have been greatly benefited by it. * * * I had rheumatism in my wrist and fingers, could not bend my wrist and could only bend one of my fingers * * * I gave Owen's Oil a trial * * * it got my wrist and fingers well. Now I can bend my wrists and fingers as I please. * * * Paralysis Relieved. I have suffered about ten weeks from paralysis. I tried two jars of Owen's Oil and got wonderful relief. * * * Couldn't Walk. * * * Owen's Aided Quick Recovery. I have high blood pressure and am paralyzed in my right side. Couldn't walk * * * I got a jar of * * * Owen's Oil and used it, and now I can walk fine. * * * Helped a Chronic Case of Sciatica. I have a chronic case of sciatica in my leg and foot * * * Owen's Oil does relieve * * *. After Six Weeks of Pain, Owen's Oil Brought Recovery—My brother-in-law * * * fell and hurt his back. * * * He could not move without pain. * * * I knew the wonderful results Owen's Oil had given * * * and mailed him a jar which he used and got immediate relief. He is now well."

On May 23, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16360. Misbranding of Fluco. U. S. v. 20 Dozen Packages of Fluco. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23378. I. S. No. 05687. S. No. 1544.)

On or about February 12, 1929, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 dozen packages of Fluco, remaining in the original unbroken packages at Raleigh, N. C., alleging that the article had been shipped by the Fluco Laboratories (Inc.), during the month of January, 1929, from Greenville, S. C., and had been transported from the State of South Carolina into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (15 grains per fluid ounce), ammonium carbonate, wild cherry, camphor, benzoic acid, glycerin, sugar, and alcohol.

It was alleged in the libel that the article was misbranded in that the statements on the label, "Fluco * * * Fluco Laboratories, Inc.," conveyed and were intended to convey to the purchaser the impression and belief that the article was a compound for the treatment of influenza and signified and imported that as such a compound it was efficacious in the treatment of influenza, whereas the article contained no ingredient or combination of ingredients capable of producing such effect, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of influenza.

On May 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16361. Misbranding of Yumco tablets. U. S. v. 33 Packages of Yumco Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23483. I. S. No. 07935. S. No. 1664.)

On March 4, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 packages of Yumco tablets, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Yum Products Corporation, Brooklyn, N. Y., alleging that the article had been shipped from Brooklyn, N. Y., on or about January 2, 1929, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained sodium salicylate (1.66 grains per tablet), acetphenetidin (0.411 grain per tablet), sodium bicarbonate, phenolphthalein, a trace of alkaloids, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, contained in the said article. Misbranding was alleged for the further reason that the statement on the tin container of the article, "Grippe and Influenza Tablets," conveyed and was intended to convey to the purchaser the impression and belief that the article was a composition for the treatment of la grippe and influenza, and signified and imported that as such a composition it was efficacious in the treatment of influenza and la grippe, whereas it contained no ingredient or combination of ingredients capable of producing such effects, and said statement was applied to the article knowingly and in reckless and wanton disregard of its truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of influenza and la grippe.

On May 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16362. Misbranding of Haywood's cold and grippe tablets. U. S. v. 201 Dozen Packages of Haywood's Cold & Grippe Tablets. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23379. I. S. No. 03647. S. No. 1546.)

On February 8, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 201 dozen packages of Haywood's cold and grippe tablets, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by W. R. Warner & Co. (Inc.), from St. Louis, Mo., in part on or about November 15, 1928, and in part on or about December 3, 1928, and transported from the State of Missouri into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained total alkaloids (0.57 grain per tablet), including cinchona, gelsemium, and aconite alkaloids, camphor, capsicum, and aloë.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the carton, "For * * * La Grippe * * * Grippe Tablets * * * For La Grippe * * * take two tablets and repeat in two hours, after that one tablet every two hours," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions therein named.

On March 20, 1929, William R. Warner & Co. (Inc.), St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to the

entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond or undertaking in the sum of \$600, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16363. Misbranding of U-Rub-It. U. S. v. 23 Jars of U-Rub-It. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23653. I. S. No. 07952. S. No. 1857.)

On April 22, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 jars of U-Rub-It, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the U-Rub-It Chemical Co., Newark, Del., alleging that the article had been shipped from Newark, Del., on or about February 16, 1929, and transported from the State of Delaware into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the ointment consisted essentially of a petrolatum and beeswax base containing essential oils including eucalyptus, peppermint and sassafras oils, menthol, methyl salicylate, and oleoresin of capsicum.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (carton) "For Pain For Rheumatism For Coughs," (jar) "For Pain * * * Apply to parts affected * * * Croup, Tonsillitis, Sore Throat, Whooping Cough, Neuralgia, Pneumonia, Cramps, Toothache (Externally), Earache (Externally) * * * Lumbago, Neuritis, Rheumatism, Backache * * * Bunions * * * All pains due to Congestion or Inflammation * * * Inhale fumes for * * * Hay Fever, Bronchitis, Asthma," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16364. Misbranding of En-Ar-Co Japanese style oil. U. S. v. 23 Dozen packages of En-Ar-Co Japanese Style Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23405. I. S. No. 03423. S. No. 1562.)

On February 13, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 dozen packages of En-Ar-Co Japanese style oil, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the National Remedy Co., from New York, N. Y., on or about January 2, 1929, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it was a reddish orange liquid containing amyl alcohol, oleoresin of capsicum, menthol, oil of sassafras, oil of camphor, and a phenol.

It was alleged in the libel that the article was misbranded in that the following statement regarding the curative and therapeutic effects of the said article, (carton) "For Neuralgia, Toothache * * * For * * * Earache * * * Neuralgia * * * Snake Bites * * * Toothache, etc. And following diseases of Horses, Cattle, Fowl, etc., viz. * * * Colic, Calks, Galls, Old Sores, Roup, Scratches, Spavins, etc.," (circular) Sore Throat * * * Cough, Congestion or Pain, rub in a generous amount of our Japanese Oil before going to

bed, then notice the remarkable results by next morning. The astonishing results obtained through the use of our Japanese Oil * * * carrying into the system the healing and antiseptic oils that are found in no other remedy, thus rapidly stirring up the circulation with the result that Nature is given a chance to exert herself. * * * Immediately generates a * * * stimulating * * * heat which drives away the pain and congestion, stimulating the circulation without personal effort or massage, bringing almost instant relief at trifling cost, * * * Congestion, * * * Croup, Rheumatic Pains, Neuralgic Pains, Swollen Joints, Stiffness, Sciatica, Lumbago, Sprains, Neuritis, * * * Toothache, Earache, et cetera * * * Toothache. In an emergency where Cramps, Colic, Dysentery, or stomachache are indicated, take ten drops in a little sweetened water, preferably after a meal, three times a day. For Cramps or Acute Pain use ten to fifteen drops in sweetened water every three hours until relieved or until doctor arrives. Nothing we know of can equal the Vapors given off by our Japanese Oil when inhaled through nose and mouth for relief of conditions affecting head, throat, and air passages in cases of * * * Catarrh, et cetera. * * * This Vapor * * * is still very effective in the treatment of cases indicated. * * * Inhale vapor * * * when suffering from the discordant symptoms arising from indications of Nasal Catarrh * * * Grippe, Sore Throat, Earache, et cetera. * * * For * * * Catarrh * * *. These general directions may also be followed in the treatment of your dogs, cats, poultry, or other domestic animals. En-Ar-Co Japanese Oil should be in every family medicine chest as a 'First Aid' in case of accidents or sudden illness * * * Use it externally for * * * Earache, * * * Toothache, Neuralgia * * * Also in cases of Bronchitis, Cold, Grippe—apply it to the chest, palms of the hands and soles of the feet, rubbing in well. Used internally * * * in cases of Cramp, Colic, Dysentery, Nasal Catarrh, Etc. It is, besides, a * * * remedy for the ordinary complaints of Poultry and Stock," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16365. Misbranding of Menthos-Squillo. U. S. v. 128 Packages of Menthos-Squillo. Default decree of destruction entered. (F. & D. No. 23453. I. S. No. 013358. S. No. 1646.)

On February 22, 1929, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 128 packages of Menthos-Squillo, remaining in the original and unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Mansfield Drug Co., Baton Rouge, La., on or about December 31, 1928, and transported from the State of Louisiana into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle) "Teaspoonful every three or four hours as needed to relieve coughs * * * of every description," (carton) "The Famous Cough Remedy for * * * Flu, Coughs, Croup, Sore Throat, Tonsillitis, and Asthma, throat and lung troubles * * * teaspoonful every 2 or 3 three hours as needed to relieve coughs of every description."

Analysis of a sample of the article by this department showed that it consisted essentially of acetic acid, spirits of nitre, menthol, a trace of capsicum, sugar, alcohol (6.8%), and water.

It was alleged in the libel that the article was misbranded in that the above-quoted statements, borne on the bottles and cartons containing the said article, were false and fraudulent in that it had not the curative and therapeutic effect so claimed and contained no ingredient or combination of ingredients capable of producing the said effect. Misbranding was alleged for the further

reason that the article failed to bear on the labels of the carton or bottle the quantity or proportion of alcohol contained therein.

On May 7, 1929, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16366. Misbranding of Ballard's Golden oil. U. S. v. 164 Bottles, et al., of Ballard's Golden Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23440. I. S. No. 05810. S. No. 1524.)

On February 21, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 164 bottles, small size, and 24 bottles, large size, of Ballard's Golden oil, remaining in the original unbroken packages at Boston, Mass., alleging that on November 11, 1928, the article had been shipped by Ballard's Golden Oil Co., Old Town, Me., and transported from the State of Maine into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of linseed oil (97 per cent), and volatile oils including peppermint, cedar, and origanum oils, methyl salicylate, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing on the bottle label and wrapper and in the accompanying circular, "Catarrh—the best advice we can give you is: Take 'Ballard's Golden Oil.' The disease must be checked promptly, the throat cleared, and the membrane healed. Ballard's Golden Oil is indeed the friend of catarrh sufferers. Pneumonia—take a medicine that will check the malady just as quickly as possible, and that will help the sore and inflamed membranes to heal. We say, with many of our patrons. 'For Pneumonia, take Ballard's Golden O.I.' Throat and Lung Trouble—Ballard's Golden Oil has proved a truly wonderful medicine. * * * throat and lung medicine. * * * The Quick Road to Recovery. The surest, speediest, easiest way to make sick spots go is to make liberal use of Ballard's Wonderful Golden Oil. If the sick spot has given rise to a cough, croup, asthma, hoarseness, sore throat, pneumonia, bronchitis, lagrippe, catarrh; or other throat or lung trouble, this Oil used internally and externally according to directions will restore health in short order. If it's a case of rheumatism, lame back, sciatica, colic, cholera morbus * * * fresh wounds, old sores, * * * neuralgia, erysipelas, or any allied malady, Ballard's Wonderful Golden Oil will get at the sick spot promptly and put good health in place of it. Sick spots promptly * * * and pain—inflammation—simply can not exist long where this Oil is used. * * * In long standing or chronic cases, it must not be supposed that the malady can be completely checked and wiped out with a single bottle of Ballard's Wonderful Golden Oil. To continue the use of the Oil, don't 'Put Off' Taking It. The longer you let a sick spot go on unchecked, the larger it will become and the farther it will spread. A small sick spot in the lungs, if allowed to spread, soon affects the whole organ, develops pneumonia, and threatens life. A small sick spot in the throat, if unmolested, soon becomes bronchitis or something worse. A small sick spot in the bowels, induced by dry membrane and consequent inflammation and catarrh of the bowels, soon makes awful havoc upon the intestinal canal if not promptly checked and cured. No matter where the sick spot is, it can not be cured any too quickly. Nature demands an invincible ally at such times. Why use Ballard's Wonderful Golden Oil? * * * It has its own peculiar curative properties, and when we promise you this Oil will bring relief in such maladies as are enumerated above we do so with the utmost assurance and confidence, based on many years of treatment of these identically same sicknesses and troubles. It has proved a valuable remedial agent for the specified maladies. * * * For years a Standard Home Remedy for * * * bronchitis, take Ballard's Golden Oil on sugar. * * * For Grippe take Ballard's Golden Oil according to directions, rubbing plenty of the Oil on to the throat and lungs. For asthma take Ballard's Golden Oil. It tends to remove the obnoxious accumulation in the throat, and to soothe the membrane. We specially advise this remedy for Asthma. For Croup give Ballard's Golden Oil every half hour, also placing over the throat and lungs cloths warmed and saturated with the Oil. For Colic and Cholera Morbus treat with Ballard's Golden Oil. Let it help you get rid of the griping pains

and discomfort. For inflammation of the bowels, take regular doses of Ballard's Golden Oil every half hour. Relief is hastened by placing over the bowels cloths warmed and saturated with the oil. For Rheumatism rub gently the affected parts with Ballard's Golden Oil, taking care to work the oil into the pores as much as possible. For * * * all Inflammation use Ballard's Golden Oil liberally on the sore portions * * * Wherever there is a sick spot, rub on Ballard's Golden Oil * * * this Oil * * * ever ready to treat pain and sickness," (bottle) "Directions: For Coughs * * * Asthma, Bronchitis, Throat and Lung Diseases, Colic and Cholera Morbus * * * For Croup, * * * Coughs, Sore Throat and Lung Troubles. Diminish the number of doses after the malady has yielded to the above treatment. For external pains, heat the parts, rub in Golden Oil thoroughly, and give one half to one teaspoonful twice a day. * * * Golden Oil is a * * * remedy for Internal and External use. Especially for Coughs * * * Croup, Asthma, Hoarseness, Pneumonia, Catarrh, Sore Throat, Bronchitis, Colic, Salt Rheum, Cholera Morbus, Rheumatism, Sciatica, Lamé Back * * * Neuralgia, Old Sores, Erysipelas, * * * Whooping Cough and general Throat and Lung Disease," (wrapper) "For the Treatment of Coughs * * * Croup, Asthma, Hoarseness, Sore Throat, Bronchitis, Pneumonia, Catarrh, Colic, Salt Rheum, Cholera Morbus, Rheumatism, LaGrippe, Sciatica, Lamé Back, * * * Neuralgia, Old Sores, Erysipelas, * * * Whooping Cough and Throat and Lung Diseases," (circular) "When We Neglect Our Body, the first thing that usually happens in case of physical neglect is the coming of inflammation in some form or other. In case of neglected throat, the inflammation causes a soreness there; if the lungs are neglected, the arising inflammation induces coughing; if the back muscles are strained and overtaxed, inflammation sets in and lameness results. In fact, trace practically every bodily ailment back to its source, and you will find that it had its start in some physical wrong which causes inflammation. It may have been ever so slight, an ill in the beginning—very few maladies manifest their worst stages at the start—but you can safely bank every time on the fact that where there is pain there is surely inflammation, and wherever there is inflammation there is need of immediate and reliable relief for it. It is one thing to know you have an ache or a pain—that inflammation has got a good hold on you; it is quite another thing to know which way to turn for prompt and positive relief. * * * we suggest you try our popular Ballard's Golden Oil. Whether you use it internally or externally, this Oil is intended to help you get rid of the troublesome inflammation and to do this as fast as it can. How do sick spots come? You really know the answer as well as we do. The little chap who wets his feet in the wayside puddle and is 'all stuffed up' the next morning; he knows how the sick spot came in his nose and throat. The man who overworked his back muscles yesterday and finds it terribly painful to straighten up to-day; he knows how the sick spot came in his back. In all such cases inflammation follows irritation until there is something pretty serious to cope with, and it becomes important to check the progress of the malady—to blot out the sick spot—as quickly as possible. Coughs should not be allowed to 'run along' without treatment. The moment you realize a cough is 'on' you, take Ballard's Golden Oil according to directions and let this soothing effective remedy serve as your 'friend in need.' Croup is one of the most common yet most dangerous diseases known to children. This disease is also one of the hardest to contend with. There being no developed point in the trachea or windpipe, it is possible for phlegm to accumulate in the passage, and if not cleared the child's breathing becomes more and more impaired until at last suffocation results and the child dies. Prompt action should be taken to cure croup as soon as the malady is detected. Symptoms: Feverishness, cold in the head, slight hoarseness, increasing towards evening. Sometimes croup will manifest itself without warning, the first knowledge of its presence being when the child breaks out in the night with a hoarse, ringing cough, resembling a low whistle and which, once heard, will always be remembered. If the disease is neglected or does not yield to treatment, signs of prostration follow, breathing becomes more difficult, and the face assumes a livid hue. For relief: Give the patient Ballard's Wonderful Golden Oil every half hour, at same time place over the throat and lungs cloths warmed and saturated with the Oil," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and

create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16367. Misbranding of Sun & Moon Sacred ointment and Sun and Moon Sacred herb oil. U. S. v. 1 Dozen Packages of Sun & Moon Sacred Ointment, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23480. I. S. Nos. 03680, 03681. S. No. 1649.)

On February 28, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1½ dozen packages of Sun & Moon Sacred ointment, and 9 bottles of Sun & Moon Sacred herb oil, remaining in the original unbroken packages at Springfield, Mass., alleging that the articles had been shipped by A. W. Lowrie (Inc.), from Hartford, Conn., on or about February 1, 1929, and transported from the State of Connecticut into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Sun and Moon Sacred ointment consisted essentially of a petrolatum and fatty acid base, volatile oils including sassafras and spearmint oils and methyl salicylate, and plant material containing a trace of alkaloid; and the Sun and Moon Sacred herb oil consisted essentially of a fatty oil (olive o.i.), and volatile oils including sassafras and spearmint oils and methyl salicylate.

It was alleged in the libel that the articles were misbranded in that the following statements, appearing on the labels of the containers and in the accompanying circulars, regarding the said articles, (tin and carton, ointment) "It contains vibrations of life from the radio-activity of electricity magnetism electrons and atoms * * * a food for the body to destroy disease," (tin only) "This ointment which is filled with atoms and vibrations of life," (circular, ointment and herb oil) "These preparations are filled with atoms and vibrations * * * and is filled with the spirit of life. * * * It is an excellent disinfectant for odors; revitalizes atmosphere of the room," (bottle and carton label, herb oil) "They contain vibrations of life from the radio activity of divine electricity, magnetism, electrons, and atoms," are false and misleading; said articles are further misbranded in violation of said act of Congress as amended, section 8, paragraph 3, in the case of drugs, in that the following statements regarding the curative and therapeutic effect of the said article, (tin, ointment) "Quick relief. A food for the Body to destroy Disease * * *. Put Ointment on Fingers, Anoint and Manipulate it into the Body and You Will Receive Strength and Vitality. * * * If you are a sufferer of any part of the body anoint with this ointment which is filled with atoms and vibrations of life. For Internal use take * * * a number of times a day. It acts as a tonic * * * Quick Relief Catarrh * * * Croup, Sore Throat, Influenza, Growths, Neuritis, Sciatica, Rheumatism, Neuralgia, Piles, Sores * * * Blood Pressure, Hardening of Arteries and Nerves, etc." (carton, ointment) "Quick Relief. A food for the Body to Destroy Disease. If you are a sufferer of any part of the body anoint with this ointment which is filled with atoms and vibrations of life. For Internal use * * * a number of times a day It Acts as a Tonic * * * Quick Relief Catarrh * * * Croup, Sore Throat, Influenza, Growths, Neuritis, Sciatica, Rheumatism, Neuralgia, Piles, Sores * * * Blood Pressure, Hardening of Arteries, Nerves, etc. Put Ointment on fingers, anoint and manipulate into the body and you will receive Strength and Vitality. It contains vibrations of life from the radio activity of electricity, magnetism, electrons, and atoms. * * * For severe cases of Rheumatism, Neuritis, * * * for Sore Muscles * * * try * * * Sun and Moon Sacred Ointment. * * * a food for the body—keeps your body young and full of spirit," (circular, ointment and herb oil) "Quick Relief. A food for the body to destroy disease. Keep Your Body Young and Full of Spirit. Kill the Germ Diseases That are spread by breathing in the germs. Keep the air passages * * * and membranes healthy by the use of Sun and Moon Sacred Ointment * * * Put a little Sacred Sun and Moon Ointment on your fingers and manipulate it gently—anointing the body—and you will receive strength and

vitality. It is a Wonderful Food for the Body Taken Internally; as a preventive it has no equal. Protect yourself from * * * Influenza, Pneumonia, etc. by having a box of Ointment in your pocket * * * Snuff a little up in the nostrils * * * take * * * on the tongue a number of times a day * * * swallowing about the same amount * * * contains vibrations of life from the rad.o-activity of electricity, magnetism, electrons, and atoms; therefore, it is the best food tonic that nature supplies—for it is filled with real Spirit of Life—which gives the nerves and muscles of your body strength and vitality. * * * A Food for the Body * * * Keep your body young and full of spirit by anointing with this oil * * * Anoint the body for tired exhausted nerves, hardening of arteries, etc. Sun and Moon Oil. * * * These preparations are filled with atoms and vibrations * * * can be used by * * * applying to the affected parts. * * * it is a food for the body and is filled with the spirit of life. Used in the following diseases: Appendicitis, Asthma, Bearing Down Pains, Bed wetting, Bed Sores, Bladder Diseases, * * * Boils, Bright's Disease, Bronchitis, * * * Blotches on Face, Catarrh, * * * Cold Sores, Congestion, Constipation, * * * Coughs, Cramps, Crick in Back, Croup * * * Delayed Menses, Diabetes, Diarrhea, Disease of Ear, Eczema, Eruptions, Faceaches, Fever, Flatulence, Gout, Grippe, Hay Fever, Headache, Hemorrhoids (Piles), Hives, Hoarseness, Itching at the Anus, Lameness, Laryngitis, Liver Complaint, Lumbago, Nervous Prostration, Neuralgia, Neuritis, Rheumatism, * * * Sciatica, and Sciatic Rheumatism, Skin Diseases, Soreness and Growths on Breast, Sore Throat, * * * Swollen Glands, Tonsillitis, Toothache, Whooping Cough, * * * Hardening of the Arteries, Nerves and Blood Pressure. * * * sprained ankle, arm, neck, back, leg or arch—the Ointment * * * place on the affected parts * * * Boils—put Ointment on boil, place some on tissue paper, and place over boil. * * * give rest to the nerves and muscles * * * Catarrh * * *. Put a little of the Ointment on tissue paper * * * and place on back of neck and around throat. * * * Croup and Influenza—use same treatment as above, and place extra papers with the Ointment across shoulders, chest, and stomach. * * * Diphtheria, Mumps, and Whooping Cough—snuff Ointment up nostrils, take * * * on the tongue about six times a day * * * put Ointment on tissue paper then place on throat, shoulders, and stomach. Earache—snuff Ointment up nostrils * * * put some on a spoon, hold over a steaming kettle * * * then put two drops in the ear and anoint around the ear. * * * Ointment on tissue paper and place around neck and on the shoulder of side affected. * * * Eczema or any Skin Disease—place a little Ointment on each spot at night. Feet and Nails—a little Ointment will * * * make the feet feel light and the nails healthy. Fever—put Ointment on tissue paper and place over the stomach and bowels. * * * place on forehead * * * For Children's * * * Throat and Tonsils—use this Oil and Ointment * * *. Nerves—can be kept in good condition by anointing back, neck, shoulders, stomach, bowels, legs, and feet three times a week with the Ointment or Oil * * * when the nerves become hardened that lead from the spine, the knuckles or vertebrae of the spine become warped out of place, causing pressure in different parts of the body affecting the organs, nerves, and arteries. Ovarian Troubles—place Ointment on tissue paper, put over bowels so that it will cover each ovary, also on back if it aches. * * * Piles * * * put Ointment the size of a bean within the rectum * * * in most cases will ease pain and heal the parts. It is excellent for any sores around these parts and will relax the muscles around the rectum. Parts around the rectum * * * anointed with Ointment weekly to insure perfect health of these parts. Pimples or Skin Eruptions—apply a little Ointment to each spot at night. Sores on any Part of the Body * * * put Ointment on it * * * Sore Throat—snuff Ointment up nostrils, take * * * on the tongue. * * * put ointment on tissue paper and place on throat, shoulders and stomach. * * * Toothache—put Ointment on tooth and around gum. Anoint tissue paper and place around jaw. Varicose Veins—anooint the limbs, back, bowels, and groins. Weak Lungs—snuff Ointment up each nostril and take * * * on the tongue, swallow. * * * Anoint chest, shoulders * * * Miscellaneous uses for Sun & Moon Sacred Ointment and Oil * * * for Catarrh. * * * it brings the blood back into the veins and makes the skin * * * healthy and keeps the flesh young. Blood Pressure—the Ointment and Oil should be applied to the body every night. * * * it is also * * * herb tonic to build up the system. For Hardening of the Arteries and Nerves—anooint the body with Ointment and Oil * * * also anoint private parts and

rectum * * * It is an excellent disinfectant for odors; revitalizes atmosphere of the room. Sacred Ointment * * * strengthen and invigorate the muscles, increase their suppleness and elasticity and quiet the nerves * * * Keep Your Body Young and Full of Spirit. This is a * * * talk on magnetism and electricity * * * and its advantages and relation to man's health and spiritual progress. To keep the body young and full of spirit you need three elements—iron, which in reality is magnetism, and certain acids which make electricity, and with the air filled with attractive and repelling atoms—herein lies the secret of life's spark. When the Ointment or Oil is applied to the body it feeds the hardened nerves, arteries, flesh, muscle, and bone system with oil which the stomach can not supply as we get older, or if the mind worries or overworks," (herb oil, bottle and carton—front label) "A Food for the Body, Keep your body young and full of spirit by anointing with this oil * * * Quick Relief * * * Anoint the body for tired exhausted nerves, hardening of arteries," (back label) "Sun and Moon Oil * * * builds up tissues, fills out the hollows in the body, and will tone up, strengthen, and invigorate the muscles, increase the elasticity of the body and quiet the nerves. For weariness, pain, also * * * anoint the body. * * * for tired and sore feet, rheumatism, neuritis, lameness, nerves, stiff joints, broken bones, * * * growths, backache, * * * Anoint bowels and back to help regulate bowels and kidneys. $\frac{1}{4}$ to $\frac{1}{2}$ teaspoonful taken internally twice a day for * * * stomach, liver, bladder, or intestines, acts as a food for the body," were false and fraudulent in that the articles contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the articles knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the articles were in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16368. Misbranding of Kelp-O-Lite. U. S. v. 61 Dozen Bottles of Kelp-O-Lite. Decree of condemnation entered. Product released under bond. (F. & D. No. 23586. I. S. Nos. 0283 to 0290, incl. S. No. 1790.)

On April 10, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 61 dozen bottles of Kelp-O-Lite, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped (by the Pacific Kelp Products Co. (Inc.)), from Portland, Oreg., in various consignments, arriving at Seattle on or about December 3 and December 19, 1928, and January 31 and February 7, 1929, respectively, and transported from the State of Oregon into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that each consisted essentially of aluminum sulphate and water, and traces of iron, calcium, magnesium, potassium, and sodium compounds, benzoic acid, and chlorides.

It was alleged in the libel that the article was misbranded in that the following statements were false and misleading: (Page 5 of the pink circular which accompanied each package) "Green kelp is now generally thought to be the solution of the diet question that has been agitating the country since goitre has become so prevalent;" (pages 2 and 6 of white circular which accompanied each package) "We add minerals to make it a Germicide. * * * as an Antiseptic Wash." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the labeling, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective

tive in the treatment of disease or the prevention thereof: (No. 1 bottle label and carton) "For Rheumatism;" (No. 2 bottle label and carton) "For Sore, Inflamed Eyes Weak and Strained;" (No. 3 bottle label) "For Ears, Nose, and Throat, Ulcered and Inflamed Ears, Earache, Deafness and Head Noises, Catarrh, Sinus Troubles and Foreign Growths in the Nose, Tonsilitis, Sore Throat and Pyorrhoea, Ulcered Teeth;" (No. 3 carton label) "For Ears, Nose, and Throat, Catarrh, Sore Mouth, and Tonsilitis * * * For Inflamed ears * * * For Tonsilitis * * * Catarrh;" (No. 3, small circular) "For ulcered and inflamed ears, head noises and deafness use diluted * * * Kelp-O-Lite * * * For earache pack ear with cotton saturated with No. 3. For catarrh, sinus troubles * * * and foreign growths in the nose, dilute * * * Kelp-O-Lite and snuff up the nose * * * Sinus trouble can also be helped by using a pack of Kelp-O-Lite over the affected sinus during sleep. For tonsilitis and sore throat gargle * * * and in severe cases use as a pack on the outside * * * For pyorrhoea and ulcered teeth, saturate cotton and place between gums and cheek nearest affected parts. Severe cases of pyorrhoea succumb to this treatment in a short time;" (No. 4 bottle and carton) "For Piles, Fistulas, Pin Worms, Rectal Troubles;" (No. 5 bottle and carton) "System Regulator * * * For Gastritis, Liver, Kidney, Bladder, Ulcerated Stomach, and Intestinal Tract;" (No. 6 bottle and carton) "For Nervousness, High Blood Pressure, Palpitation of the Heart, Paralytic and Anæmic Condition:" (No. 7 bottle and carton) "For * * * Sores * * * Erysipelas and * * * All Kinds of Infections of the Skin;" (No. 8 bottle and carton) "An * * * Wash for Infections;" (pink circular which accompanies each product) "For Rheumatism, is designed to work on the kidneys * * * neutralize the uric acid in the blood. * * * In cases of severe suffering a teaspoonful may be taken every three hours for a day or two, * * * If joints or muscles are sore use an absorbent cotton pack saturated with Kelp-O-Lite No. 7 * * * Kelp-O-Lite No. 2 for Eyes, used in cases of weak, tired, sore, and inflamed eyes, and for outside cataracts. For weak or tired eyes use $\frac{1}{2}$ teaspoonful of No. 2 Kelp-O-Lite * * * If eyes are sore or inflamed or have outside cataracts use absorbent cotton saturated with No. 2 Kelp-O-Lite, full strength, bound on the eye, adding a little Kelp-O-Lite * * * In a few days cataracts will begin to loosen at the edges and continued use will cause them to sluff away. Styes in the eye should be treated the same. Kelp-O-Lite No. 3 for Ears, Nose, and Throat, Ulcered and Inflamed Ears, Earache, Head Noises and Deafness, Catarrh, Sinus Trouble, and Foreign Growths in the nose, Tonsilitis, Sore Throat, Pyorrhoea, Ulcered Teeth, * * * For ulcered and inflamed ears, head noises, and deafness use diluted one part of Kelp-O-Lite * * * For earache pack ear with cotton saturated with No. 3 * * * For catarrh, sinus troubles * * * foreign growths in the nose, dilute with 30 or 40 parts of water to one of Kelp-O-Lite and snuff up the nose or use an atomizer to spray three times daily. * * * Sinus trouble can also be helped by using a pack of Kelp-O-Lite over the affected sinus during sleep. For tonsilitis and sore throat spray every two hours undiluted, and in severe cases use as a pack on the outside, * * * For pyorrhoea and ulcered teeth saturate cotton and place between gums and cheek nearest affected parts. Severe cases of pyorrhoea succumb to this treatment in a short time. Kelp-O-Lite No. 4, for Piles, Fistulas, Colitis, Pin Worms of the bowels and any sore or inflamed condition of the rectum. * * * No. 4 Kelp-O-Lite * * * inject into the bowels * * * Repeat 2 to 5 times daily according to severity of the case. * * * Kelp-O-Lite No. 5, System Regulator, for Gastritis, Liver, Kidney, Bladder, Ulcerated Stomach and Intestinal Tract and to build up any impoverished condition of the system, working directly on all glands. No. 5 is designed to work on pus, poisons, and rectify deficiency disorders. * * * For colic, cramps, and ptomaine poisoning take 1 teaspoonful every 30 minutes until relieved. For colic in children mix $\frac{1}{2}$ teaspoonful of Kelp-O-Lite No. 5 * * * give a baby 2 weeks old * * * this mixture; repeat dose * * * until relieved. * * * Kelp-O-Lite No. 6 for Nervousness, High Blood Pressure, Palpitation of the Heart, and Anæmic Condition. * * * Kelp-O-Lite No. 7 * * * In cases of * * * Blood Poison, Sores, Cuts, Erysipelas * * * Rheumatism and all infections of the skin and all congested areas. Saturate absorbent cotton with No. 7 Kelp-O-Lite, and bandage on affected parts keeping moist with the Kelp-O-Lite. * * * The soaking opens the pores of the skin and gives the Kelp-O-Lite a chance to get to the seat of the trouble without delay. * * * Kelp-O-Lite No. 8, * * * for vaginal and ovarian disorders in women and

stricture and prostate gland trouble in men. For bladder and urinal tract inflammation use 1 teaspoonful of Kelp-O-Lite No. 8 to 5 of warm water as an injection in the urethra. * * * This should be used * * * until all signs of soreness disappear. To use as a vaginal pack for pus pockets, tumors, and uterine and ovarian troubles requires a vaginal speculum. * * * Saturate the cotton with No. 8 Kelp-O-Lite. * * * insert it into the vagina, then insert the cotton pack through the speculum * * * place the pack well up against the cervix * * * the nearer against cervix the easier for the medicine to work its way into the uterus. * * * Repeat every 24 hours, * * * until soreness is gone, or in tumorous conditions until tumor has come away and affected parts have time to heal. In less severe cases of ulcers and inflammation good results have been obtained by using as a douche—after using 1 to 2 bags of warm water, tip into the douche bag 1 tablespoonful of Kelp-O-Lite No. 8 * * * the longer time held the more time it has to work. For stricture and prostate gland troubles in men: Use 1 teaspoonful of Kelp-O-Lite No. 8 * * * treatment should be used * * * until all signs of trouble are gone. * * * Kelp-O-Lite Remedies are * * * successful in the alleviation of suffering and disease. * * * green kelp contains all four of the known vitamins. In manufacturing Kelp-O-Lite Remedies we make an extract of green kelp * * * and add to this other minerals to make it * * * poison destroyer * * * then to this formula * * * we add special minerals to make it effective for special diseases and conditions. In Kelp-O-Lite Remedies we have * * * poison destroyer strong enough to * * * remove diseased tissue and * * * Kelp-O-Lite Remedies * * * their use can be continued indefinitely with * * * best of results. * * * I had been a sufferer for eight years. * * * my case as fibroid tumors. Uterus enlarged three times its normal size. Also had hemorrhages and flooding spells lasting three months without stopping. I was weak and nervous and in bed most of the time * * * hearing of Kelp-O-Lite * * * only four weeks when * * * fibroid and things began to pass in small pieces; I never saw anything like it, and the flooding stopped. * * * am getting better ever since taking Kelp-O-Lite. * * * I have been bothered for years with bad prostrate gland trouble and have had to be up to urinate from 5 to 25 times every night. This * * * infected the urinal canal * * * the whole was infected with pus pockets that continually drained pus and poison into my system, causing palpitation of the heart and a choking sensation. My legs then began to swell * * * at last my prostate gland became so enlarged that the urine would not pass without the use of a catheter. After suffering with the stoppage of urine two days, my sons insisted on taking me to the Kelp-O-Lite Sanatorium * * * after 27 days of their treatment, I am * * * greatly improved. The stoppage of the urine is all gone * * * The swelling is gone from my legs, my heart no longer palpitates, and my appetite is good. I have also suffered for years from rheumatism and this is greatly improved. I am taking several bottles of Kelp-O-Lite home with me and expect to continue its use for some time to come, as I feel this is good health insurance. * * * if I had not been persuaded * * * to try Kelp-O-Lite, I would not be alive today. * * * I had very bad tonsils and he said he could kill them by ex-ray treatments which * * * would take six treatments * * * I was so completely burned, not only my throat, but face, head, breast, and internally burned. These kept getting worse until I was suffering so I could stand it no longer. * * * Now I am a new woman through and through. Was so terribly burned internally that I had to use packs. The results were wonderful. Kelp-O-Lite is a wonderful discovery. I have seen so many wonderful cures of different diseases in the past year that I know there is nothing like it * * * the wonderful cures I have seen with my own eyes * * * Always susceptible to colds and finally sinus trouble and chronic bronchitis, 18 months ago contracted whooping cough. From that time until I found Kelp-O-Lite nearly seven months ago, I was miserable; had three bad spells of sickness. Have also had uterine and ovarian inflammation for several years. With the Kelp-O-Lite remedies Nos. 3-5-8 and some steam treatments and several weeks' treatment at the Sanatorium, I am today in fine health and truthfully recommend them to many kinds of sufferers of chronic diseases * * * I have suffered from rheumatism for the last 25 years, it finally settling mostly in my hands. * * * January of this year the pain settled all over me and I was forced to give up my work and go to bed. * * * I was told of Kelp-O-Lite and persuaded by friends to try it. In a few weeks I was able to take up my work again and today after

using five bottles can * * * say that my joints are reduced and move easier and better than they have in years, and that I am free from pain. * * * I was very sick with a summer cold * * * I was coughing every two minutes for over six weeks, had no night's rest and was losing flesh and weight to an alarming state. I was very nervous. I was sent * * * for a thorough examination and it was pronounced general corrosion of my whole system and that I was going fast into consumption. * * * I was very weak and had but little strength. I met an old friend * * * who recommended me to try Kelp-O-Lite. I used Nos. 5 and 3 for a week; my strength came back to me; I began to eat better within four weeks; I was my own self again and could eat heartily. I was strong to stand the hardest kind of work with three square meals a day. I used six bottles that summer, four bottles of No. 5 and two bottles of No. 3 Kelp-O-Lite. It has kept me in the best of health ever since; also it keeps me from getting * * * grippe that I used to get so often. * * * It has saved me from the loss of my tonsils and a dangerous operation and has given me back my health;" (yellow circular, "Free Service," which accompanied each product) "Our methods of treatment are designed to eliminate the Germs and Poisons from your system and remove diseased tissue (all without surgery). Our first and greatest feature is of course our Kelp-O-Lite Remedies, used both internally and externally, * * * Practically all chronic diseases are caused from either Germs or Poisons in the System and it is useless to treat the result without first removing the cause. Our entire treatment is designed to remove causes. If you have a pus pocket anywhere in your system it may cause any number of symptoms in different parts of the body, when by careful research they may be traced directly back to one cause and the removal of this cause may mean the relief of many pains and ailments. Many persons who are suffering from palpitation and irregular heart action are, we find, perfectly sound as far as their heart is concerned, but have a pus pocket somewhere that is pouring poison into the blood stream; this in turn works as a powerful heart stimulant, causing the heart to be overworked. Also we find that much palpitation and irregularity is caused from gas on the Stomach, this raising the diaphragm and crowding the heart and lungs, causing the heart to beat faster and irregular, and by crowding the lungs causes a smothering and choking sensation. Some of these patients imagine they are suffering from the last stages of heart trouble and are already marked for an early grave. Such cases treated as heart trouble fail of relief, but the removal of the cause will remove the effect;" (white circular, "What Is It?," which accompanies each product) What * * * makes Kelp-O-Lite Remedies work so fast when first taken. * * * The first and greatest reason is because they work directly on the germs and poisons in the system and whether used internally or externally go directly to any pus pockets or inflammation that may exist in the body. The second reason is * * * it furnishes material to replace broken-down and diseased tissue, and in deficiency disorders such as are often found where the system has not been getting certain elements, which it should have, it works wonders. * * * it will remove diseased and unnatural tissue and clean the healthy tissue underneath so that Nature will begin at once to replace the tissue removed with live, natural, and healthy growth. * * * our Remedies * * * are the most satisfactory way of bringing back health to the body. * * * if you could incorporate the necessary elements of human life, together with other minerals, to form a germicide, that you would have a powerful cure-all. These experiments led to the segregation of diseases and finally brought us to the present nine formulas, which we are offering to the public. Kelp-O-Lite Remedies are made from a base of an extract of Green Kelp with added minerals, making it a tissue builder and germicide and poison destroyer. We then add special minerals known to be effective in cases of certain diseases. Kelp-O-Lite Remedies are designed to destroy the germs and poisons in your system, to remove the unhealthy tissue and give Nature a chance to exert her healing power, aided by the elements necessary to human life, contained therein. Sickness and disease are caused from germs and poisons in the system or lack of some of the elements vital to healthy human life. If these germs and poisons are destroyed and the vital elements supplied then, unless there has been too much wasting away of tissue through diseases, Nature will assert her natural healing power and good health must be the inevitable result. * * * To prove that Kelp-O-Lite does destroy poisons and narcotics, it is only necessary to have your dentist place a pack of cotton saturated with No. 3 in the cavity immediately after extraction and you will

not have that terrible after-effect. Kelp-O-Lite will remove the poison and pus that may be present and hasten the process of healing. * * * Kelp-O-Lite No. 1—For rheumatism and all diseases caused by Uric Acid in the blood. * * * Kelp-O-Lite No. 2—For Eyes, Granulated Lids, Weak and Inflamed Eyes, Cataracts, Styes, etc. Kelp-O-Lite No. 3—For Nose, Throat, and Ears, for Catarrh, Adenoids, Sinus Troubles, used as a spray or snuff up nose, diluted from 30 to 40 parts water to 1 of Kelp-O-Lite. * * * to allay pain and inflammation after tooth extraction and in cases of tooth ulceration, saturate cotton with Kelp-O-Lite straight and apply to affected parts. For Tonsillitis and Mumps gargle in throat and use as a pack on outside. For Whooping Cough and Croup give three to ten drops straight and use pack on outside of throat. For Ulcerated Ears and Ears stopped with wax, use cotton pack saturated with Kelp-O-Lite. For Pyorrhea and Bleeding Gums wash teeth three times daily with No. 3. Kelp-O-Lite No. 4—For Hemorrhoids (piles), Fistulas, Rectinal Pin Worms, Colitis, and all Rectal Troubles use as an injection diluted with water. Kelp-O-Lite No. 5—For * * * System Regulator, Gastritis, Liver, Bladder, Kidneys, Ulcerated Stomach and Intestinal Tract, Cramps, Heart Burns, Potomac Poisoning, Bright's Disease, Dropsy, and Diabetes. * * * Kelp-O-Lite No. 6—Internal, for Nervousness, High Blood Pressure, Palpitation of the Heart, and Anaemic Conditions. Persons with Stomach or other disorders should use No. 5 first. Kelp-O-Lite No. 7—* * * for * * * Boils, Sores, Blood Poisoning, * * * and all infections and irritations of the skin. Kelp-O-Lite No. 8—* * * in cases of Vaginal, Uterus, and Ovarian Troubles and Prolapsus and in cases of lacerations and as an Antiseptic Wash. * * * (Testimonial) * * * I had been sick four years. I was suffering from partial paralysis, a terrible nervousness, and my stomach was bad; all caused from kidney trouble. * * * after taking a few bottles of Kelp-O-Lite No. 5 I felt like a different woman. My nerves were better, my stomach did not bother me at all, and I now feel that my paralysis is getting better. * * * I have suffered from Rheumatism for the last 25 years, it finally settling mostly in my hands. * * * January of this year the pain settled all over me and I was forced to give up my work and go to bed. * * * I was told of Kelp-O-Lite and persuaded by friends to try it. In a few weeks I was able to take up my work again and today, after using five bottles, can * * * say that my joints are reduced and move easier and better than they have in years, and that I am free from pain. * * * if I had not been persuaded * * * to try Kelp-O-Lite, I would not be alive today. * * * I had very bad tonsils and he said he could kill them by X-ray treatments, which * * * would take six treatments. * * * I was so completely burned, not only my throat, but face, head, breast, and internally burned. These kept getting worse until I was suffering so I could stand it no longer. * * * Now I am a new woman through and through. Was so terribly burned internally that I had to use packs. The results were wonderful. Kelp-O-Lite is a wonderful discovery. I have seen so many wonderful cures of different diseases in the past year that I know there is nothing like it * * * the wonderful cures I have seen with my own eyes. * * * I was very sick with a summer cold * * * I was coughing every two minutes for over six weeks, had no night's rest, and was losing flesh and weight to an alarming state. I was very nervous. I was sent * * * for a thorough examination and it was pronounced general corrosion of my whole system and that I was going fast into consumption. * * * I was very weak and had but little strength. I met an old friend * * * who recommended me to try Kelp-O-Lite. I used Nos. 5 and 3 for a week; my strength came back to me; I began to eat better; within four weeks I was my own self again and could eat heartily. I was strong to stand the hardest kind of work with three square meals a day. I used six bottles that summer, four bottles of No. 5 and two bottles of No. 3 Kelp-O-Lite. It has kept me in the best of health ever since; also it keeps me from getting * * * grippe that I used to get so often. * * * it has saved me from the loss of my tonsils and a dangerous operation and has given me back my health. * * * Have been troubled with pain and backache each month for years, and * * * three doses of your Kelp-O-Lite No. 5 removed all pain. Also suffered two days with earache and toothache, bordering on neuralgia, the second application of Kelp-O-Lite No. 3 gave relief. * * * I was in such a shape that I was unable to work more than one-half day at a time. My lungs rattled like paper when I breathed. Dr. Jeffries of the Kelp-O-Lite Sanatorium * * * advised Kelp-O-Lite No. 5. Three bottles put me on my feet so I can do a full day's work, the rattle is gone from my lungs, and I feel fine in every way."

On April 22, 1929, the Pacific Kelp Products Co. (Inc.), Portland, Oreg., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for relabeling, upon filing a bond in the sum of \$400, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Federal food and drugs act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16369. Misbranding of Jarabe Doble Balsamico Al Guayacol. U. S. v. 10 Dozen Bottles of Jarabe Doble Balsamico Al Guayacol. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23571. I. S. No. 02128. S. No. 1755.)

On April 2, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 dozen bottles of Jarabe Doble Balsamico Al Guayacol at San Juan, P. R., alleging that the article was in the possession of J. M. Blanco (Inc.), San Juan, P. R., and was being offered for sale and sold in Porto Rico, and charging misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that it consisted essentially of a sirup containing guaiacol and alcohol (8.4 per cent).

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "For the Treatment of Catarrh, Bronchitis, Bronchorhea, and All Affections of the Respiratory Tract."

On April 11, 1929, J. M. Blanco (Inc.), San Juan, P. R., claimant, having admitted the allegations of the libel, and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it should not be sold or otherwise disposed of without first having been properly relabeled.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16370. Misbranding of sirup of hypophosphite of lime. U. S. v. 3½ Dozen Bottles of Sirup of Hypophosphite of Lime. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23573. I. S. No. 02127. S. No. 1751.)

On April 2, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3½ dozen bottles of sirup of hypophosphite of lime at San Juan, P. R., alleging that the article was in possession of J. M. Blanco (Inc.), San Juan, P. R., and was being offered for sale and sold in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a sirup containing calcium hypophosphite.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) *Enfermedades del pecho, afecciones tuberculosas, bronquitis cronica, raquitismo, anemia y debilidad general;*" (carton label) "For diseases of the lungs, tuberculosis, chronic bronchitis, rickets, anaemia, and general debility, * * * dans les maladies de poitrine, bronchitis chronique, rachitisme, Anemie, et Affaiblissement General." (Also similar statements in Spanish and Italian on the carton label.)

On April 11, 1929, J. M. Blanco (Inc.), San Juan, P. R., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it should not be sold or otherwise disposed of without first having been properly relabeled as required by law.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16371. Adulteration and misbranding of Dakol nasal cream. U. S. v. 7 Dozen Packages of Dakol Nasal Cream. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23636. I. S. No. 03777. S. No. 1756.)

On April 19, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 dozen packages of Dakol nasal cream, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the New Haven Laboratories (Inc.), New Haven, Conn., in two consignments on or about January 8, 1929, and January 23, 1929, and transported from the State of Connecticut into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Chemical analysis by this department of a sample taken from this consignment showed that the article consisted essentially of petrolatum, $\frac{1}{4}$ per cent of chloramine-T, volatile oils including menthol, and a small amount of a saponifiable fat. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, (label on tube) "Antiseptic."

Misbranding was alleged for the reason that the statements on the tube containing the article, "Coat tip on tube with Dakol—to Antisepticize," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article, (tube) "For * * * relief of * * * catarrh, influenza, bronchitis, whooping cough, hay fever, sore throat, asthma, * * * to prevent nose and throat infection. Squeeze * * * Dakol on * * * finger * * * into each nostril," (carton) "For the relief of * * * influenza, bronchitis, catarrh, whooping cough, hay fever, sore throats, and asthma. For the prevention of contagious diseases contracted through nose and throat. * * * Insert tip * * * into nostril * * * pinch tube, and draw deep, long breath through nose until Dakol reaches the throat," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 16, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16372. Misbranding of Buddies. U. S. v. 9 $\frac{3}{4}$ Dozen Tins of Buddies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23472. I. S. No. 03491. S. No. 1674.)

On March 1, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 $\frac{3}{4}$ dozen tins of Buddies at Ironton, Ohio, alleging that the article had been shipped by the Buddies Co., from Ravenswood, W. Va., on or about January 30, 1929, and transported from the State of West Virginia into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetylsalicylic acid (5.45 grains per tablet), caffeine (0.37 grain per tablet), capiscum, and salicylic acid.

It was alleged in the libel that the article was misbranded in that the statements, (tins) "Better than Aspirin. Safely used for the following conditions, (circular) "It's better than aspirin * * * gives * * * safe relief. They are a safe * * * Better than Aspirin in the sense that they are not depressing on the heart," borne on the labels, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article, borne on the

labels, (tins) "Safely used for the following conditions * * * Neuralgia * * * Toothache, Earache, Lumbago * * * Grippe, Sciatica, Painful Periods, Rheumatism, and Pains from Indigestion," (circular) "For pain in general * * * Earache, Toothache, Lumbago, Sciatica, Rheumatic Pains, Indigestion, Neuralgia, Periodic Pains, Gives Safe Dependable Relief * * * Periodic Pains: Use Buddies according to instructions. * * * In extreme need give 2 tablets. * * * In all other cases they are a * * * dependable pain relief * * * Ear and Toothache: Use Buddies according to instructions. * * * Grippe: Use Buddies according to instructions * * * Rheumatism, Lumbago, Neuralgia, and Sciatica: Use Buddies according to instructions. * * * Indigestion, Dyspepsia, and Stomach Gas: Use Buddies according to instructions," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 16, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16373. Adulteration and misbranding of strychnine sulphate tablets, sodium salicylate tablets, sirup of ipecac, and tincture nux vomica. U. S. v. William R. Warner & Co. (Inc.). Plea of guilty. Fine, \$500. (F. & D. No. 23706. I. S. Nos. 20904-x, 20909-x, 20916-x, 20919-x.)

On March 5, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William R. Warner & Co. (Inc.), a corporation trading at New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of New Jersey, on or about September 15, 1927, of a quantity of strychnine sulphate tablets and sirup of ipecac, and on or about September 29, 1927, of a quantity of tincture nux vomica and sodium salicylate tablets, which products were adulterated and misbranded. The articles were labeled in part, variously: "Tablet Triturates * * * Strychnine Sulphate Each Tablet Contains a 1-100 grain * * * William R. Warner & Co., Inc.;" "Syrup Ipecac U. S. P. X. * * * William R. Warner & Co., Inc.;" "Tincture Nux Vomica U. S. P. X. * * * Standard: 0.237 Gm. to 0.263 Gm. alkaloids of nux vomica per 100 cc. * * * William R. Warner & Co., Inc.;" "Tablets * * * Sodium Salicylate Each tablet contains 5 grains * * * William R. Warner & Co., Inc. * * * New York St. Louis."

Analyses of samples of the articles by this department showed that the strychnine sulphate tablets labeled, "1/100 grain," contained approximately 1/124 grain of strychnine sulphate per tablet; the sodium salicylate tablets labeled, "5 grains," contained 4 1/3 grains of sodium salicylate per tablet; the sirup of ipecac yielded not less than 1.32 grams of the ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, and the tincture of nux vomica yielded not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters.

Adulteration of the said tablets was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of said tablets was represented to contain not less than 1/100 grain of strychnine sulphate, or 5 grains of sodium salicylate, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof. Adulteration of the sirup of ipecac and the tincture nux vomica was alleged for the reason that they were sold under and by means recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopœia official at the time of investigation of the articles, in that the sirup of ipecac yielded more than 1.155 grams of the ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, to wit, not less than 1.32 grams of ether-soluble alkaloids of ipecac per 1,000 cubic centimeters, whereas said pharmacopœia provided that

1,000 cubic centimeters of sirup of ipecac should contain 70 cubic centimeters of fluidextract of ipecac and that fluidextract of ipecac should yield not more than 1.65 grams of ether-soluble alkaloids of ipecac per 100 cubic centimeters; the said tincture nux vomica contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, to wit, not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the pharmacopœia provided that tincture nux vomica should yield not more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters; and the standard of strength, quality, and purity of the said articles was not declared on the containers thereof. Adulteration of the tincture nux vomica was alleged for the further reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was represented to contain 0.237 gram to 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas it contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters. Misbranding of the said tablets was alleged for the reason that the statements, "Strychnine Sulphate, Each Tablet Contains 1-100 grain," and "Sodium Salicylate Each Tablet contains 5 grains," borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained 1-100 grain of strychnine sulphate, or 5 grains of sodium salicylate, as the case might be, whereas the said tablets contained less than so represented. Misbranding of the said sirup of ipecac and the tincture nux vomica was alleged for the reason that the statements, to wit, "Syrup Ipecac U. S. P. X." and "Tincture Nux Vomica U. S. P. X.," "Standard: 0.237 Gm. to 0.263 Gm. Alkaloids of nux vomica per 100 cc.," borne on the labels attached to the bottles containing the respective articles, were false and misleading in that they represented that the articles were sirup of ipecac and tincture nux vomica, which conformed to the tests laid down in the tenth revision of the United States Pharmacopœia, and that the tincture nux vomica contained not more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the said articles did not conform to the tests laid down in the tenth revision of the United States Pharmacopœia and the tincture nux vomica contained more than 0.263 gram of the alkaloids of nux vomica per 100 cubic centimeters, to wit, not less than 0.294 gram of the alkaloids of nux vomica per 100 cubic centimeters.

On May 6, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$500.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16374. Adulteration and misbranding of Chek-a-Cold tablets. U. S. v. 96 Packages of Chek-a-Cold Tablets. Decree entered adjudging product adulterated and misbranded with provision for release under bond for relabeling. (F. & D. No. 23523. I. S. No. 01563. S. No. 1717.)

On March 19, 1929, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 96 packages of Chek-a-Cold tablets at Muskogee, Okla., alleging that the article had been shipped by the Continental Drug Corporation, Alton, Ill., on or about January 17, 1929, and transported from the State of Illinois into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetanilide (0.85 grain per tablet), capsicum, and aloe.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "1 Grain Acetanilid in Each Tablet."

Misbranding was alleged for the reason that the statement on the carton container of the said package, to wit, "1 Grain Acetanilid in Each Tablet," was false and misleading. Misbranding was alleged for the further reason that the package failed to bear a statement on the label of the quantity of proportion of acetanilide contained therein, the declaration "1 Grain Acetanilid in Each Tablet" being incorrect. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (display card) "Effective treatment for * * * Influenza * * * Grippe," (circular) "Effective treatment for * * * Influenza * * *

Grippe," (carton container) "Effective treatment for * * * Influenza * * * Grippe * * * Will stop the development if taken immediately," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 2, 1929, no appearance or answer having been made for the property, a decree was entered adjudging the product adulterated and misbranded. It was ordered and decreed by the court that the product might be released to the owner upon payment of costs and the execution of a bond in the sum of \$300, and the filing of a certificate from this department by said owner that the product had been relabeled and reconditioned.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16375. Misbranding of Flumonia (fuming) salve. U. S. v. 43 Jars of Flumonia (fuming) salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23419. I. S. No. 0880. S. No. 1549.)

On February 19, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 43 jars of Flumonia (fuming) salve, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Van Vleet-Mansfield Drug Company, Memphis, Tenn., on or about June 26, 1928, and transported from the State of Tennessee into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a petroleum jelly containing small amounts of camphor, menthol, and oil of eucalyptus.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (jar) "Flumonia (Fuming) Salve * * * First Aid for * * * Chest Congestions and Inflammation. * * * Pneumonia. Apply hot cloth to throat, chest, and upper part of back for at least 5 minutes, then apply this fuming salve and rub in well and cover with hot white flannel; place the covering so that fumes arising can be inhaled freely, and repeat the application every 2 hours unless the patient is sleeping comfortably. Spasmodic Croup. Rub Flumonia over the throat and chest and induce the child to inhale the fumes which will arise after the salve is loosely covered with a piece of hot flannel. A little of the salve may be heated in a spoon and the fumes inhaled. Continue this treatment until the air passages are opened and breathing is relieved. Whooping Cough and Asthma. Use same treatment as above. * * * Coughs and Sore Throat. Place a piece of the salve about the size of a pea on the tongue and allow to be slowly swallowed and apply externally to the throat, rubbing in well. * * * A splendid application for * * * external inflammation," (carton) "Flumonia * * * Used for Catarrh * * * Sore Throat, Coughs, Spasmodic Croup, Influenza * * * The Best Results Are Obtained by Rubbing Freely over the Chest. The Penetrating Fumes Help to Overcome Congestion by Opening Up the Air Passages," (circular) "First Aid in the treatment of Coughs and * * * Inflammations * * * Sore Throat. Neuralgia * * * Internally and Externally * * * It is valuable in the treatment of the various ailments of the lungs, respiratory organs and air passages * * * Flumonia Fuming Salve. Upon application, the heat of the body releases the fumes, which are inhaled and thereby carried directly to the air passages and respiratory organs * * * It acts by absorption through the skin, the effect of which is to promote circulation and stimulate the body to its normal functions. * * * Ordinary Coughs * * * Swallow one-fourth teaspoonful of Flumonia three or four times a day. Rub Flumonia well over the throat, especially before retiring, and to quiet the nerves, ease pain, and bring restful health-restoring sleep take * * * Catarrh, Sore Throat, Tonsillitis, Hoarseness * * * inhale the fumes of Flumonia melted in a spoon. At night massage the throat and chest with Flumonia, rubbing in well, and

apply a thick layer of Flumonia, covering with warm flannel. * * * Bronchitis, Grippe, Pneumonia, Flu—Rub Flumonia over the spinal column from hips to shoulders to relieve the nerves. Then inhale the fumes of Flumonia which has been melted in a spoon. Rub Flumonia over the chest and throat and cover with warm flannel. Continue until relieved. * * * Asthma, Whooping Cough, Spasmodic Croup—first give a good purgative, for best results Van Vleet's Aromatic Castor Oil is recommended, followed by a hot mustard foot-bath (one tablespoonful of dry mustard in a gallon of hot water). Open the pores of the skin by applying hot towels until the skin is red. As soon as one towel has been removed, immediately apply another. This may also be accomplished by the application of hot mustard plasters or a plaster made of equal parts of mustard and Flumonia. As soon as the pores are well opened, massage with Flumonia for several minutes, and spread a thick layer of Flumonia. Cover with a doubled flannel cloth. Leave the covers loose about the head of the patient, that the fumes may circulate freely and reach the respiratory organs. Repeat this treatment as soon as the redness disappears from the skin. For bronchitis * * * only the throat and chest need to be treated, but in pneumonia and flu, rub Flumonia on the back from the shoulder to the hips. Sinus Suffering. Flumonia is wonderfully soothing and alleviating for sinus pains. It is, of course, simply a first aid for troubles of this character until surgical relief can be obtained. * * * Muscular Rheumatism, * * * Muscular Soreness * * * When the inflammation has been reduced, spread Flumonia liberally and cover with hot cloths. * * * Neuralgia * * * conditions have been relieved by rubbing Flumonia over the face and temples, and inhaling the fumes from Flumonia melted in a spoon," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and recklessly and in wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16351-16375

	N. J. No.		N. J. No.
Adamson's botanic cough balsam:		Kelp-O-Lite:	
Kinsman, F. W., Co-----	16353	Pacific Kelp Products Co--	16368
Bacillus acidophilus:		Lime, sirup of hypophosphite:	
Sherman, G. H.-----	16354	Blanco, J. M.-----	16370
Ballard's Golden oil:		Lungremed:	
Ballard's Golden Oil Co.--	16366	Stokes, Dr. W. D.-----	16356
Buddies:		Mentho-Squillo:	
Buddies Co.-----	16372	Mansfield Drug Co.-----	16365
Chek-a-Cold tablets:		Nasal cream:	
Continental Drug Corpora-		New Haven Laboratories--	16371
tion-----	16374	Nux vomica, tincture:	
Cold and grippe tablets:		Warner, W. R., & Co-----	16373
Warner, W. R., & Co-----	16362	Oil, Ballard's Golden:	
Cough balsam:		Ballard's Golden Oil Co--	16366
Kinsman, F. W., Co-----	16353	Oil, Owen's:	
Dakol nasal cream:		Carolina Chemical Co.-----	16359
New Haven Laboratories--	16371	Optolactin tablets:	
En-Ar-Co.:		Fairchild Bros. & Foster--	16352
National Remedy Co.-----	16364	Owen's oil:	
Fluco:		Carolina Chemical Co.-----	16359
Fluco Laboratories-----	16360	Sirup of hypophosphite of lime:	
Flumonia (fuming) salve:		Blanco, J. M.-----	16370
Van Vleet-Mansfield Drug		ipecac:	
Co.-----	16375	Warner, W. R., & Co-----	16373
Flu-Zone:		Sodium salicylate tablets:	
Pettijohn, R. B., Co-----	16351	Warner, W. R., & Co-----	16373
Golden oil, Ballard's:		Strychnine sulphate tablets:	
Ballard's Golden Oil Co--	16366	Warner, W. R., & Co-----	16373
Haywood's cold and grippe tablets:		Sun & Moon Sacred herb oil:	
Warner, W. R., & Co-----	16362	Lowrie, A. W.-----	16367
Inflammacine, Turner's:		ointment:	
Math-Ol Inflammacine Co--	16355	Lowrie, A. W.-----	16367
Iophene:		Turner's Inflammacine:	
Mayer Bros. Drug Co.-----	16357	Math-Ol Inflammacine Co--	16355
Ipecac, sirup of:		U-Rub-It:	
Warner, W. R., & Co-----	16373	U-Rub-It Chemical Co.-----	16363
Japanese style oil:		Warren's Wonder Workers:	
National Remedy Co.-----	16364	Pfeiffer, S., Mfg. Co.-----	16358
Jarabe Doble Balsamico Al Guaya-		Wonder Workers:	
col:		Pfeiffer, S., Mfg. Co.-----	16358
Blanco, J. M.-----	16369	Yumco tablets:	
		Yum Products Corporation--	16361

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16376-16400

[Approved by the Secretary of Agriculture, Washington, D. C., November 18, 1929]

16376. Misbranding of Deo Dennis' eucalyptus ointment, U. S. v. 34 5/12 Dozen Jars of Deo Dennis' Eucalyptus Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23445. I. S. No. 07423. S. No. 1616.)

On February 26, 1929, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34½ dozen jars of Deo Dennis' eucalyptus ointment, remaining in the original unbroken packages at Denver, Colo., consigned by the Deo Corporation, Berkeley, Calif., alleging that the article had been shipped from Berkeley, Calif., December 12, 1928, and transported from the State of California into the State of Colorado and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the ointment consisted essentially of a wax base with small amounts of petrolatum and fat containing volatile oils including eucalyptus and sassafras oils, camphor, and menthol.

It was alleged in the libel that the article was misbranded in that the following statement regarding the said article was false and misleading: (Blue circular) "The pleasant vapor is carried to every part of the respiratory tract, where it condenses in the form of an antiseptic healing oil, destroying germs and helping to remove inflammation in a safe, natural way." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the label, (carton) "For Catarrh * * * Hay Fever, Poison Oak * * * Flu, etc. * * * For * * * Croup * * * or any inflammation of the Mucous Membrane, use according to directions," (blue circular) "It is advisable to draw in the vapor through the mouth at times, especially if the throat is sore or inflamed. The Vaporizer should be used for 5 to 15 minutes night and morning—oftener if desired. It clears the head almost instantly and begins at once to relieve inflammation. * * * For more than thirty years, 'Deo' has been widely recognized as one of the most valuable remedial agents ever discovered for catarrh * * * and other affections of the mucous membrane. * * * vaporization offers the only practical and thoroughly efficient means yet devised for reaching diseased tissues in the nasal cavity, bronchial tubes or lungs with local treatment of any character. * * * The pleasant vapor is carried to every part of the respiratory tract, where it condenses in the form of an antiseptic healing oil, destroying germs and helping to remove inflammation in a safe, natural way. By using the 'Deo' Vaporizer, quicker results will be obtained and less of the ointment required," (yellow circular) "Effective Treatment for Catarrh, Coughs, Asthma, Whooping Cough, Croup and Respiratory Troubles. Also valuable for the relief of Piles, Rheumatism, * * * For healing * * * Old Sores * * * Recommended for any condition where * * * healing application is desired. * * * Directions * * * For Catarrh. Catarrh is a chronic inflammation of the mucous membrane of the nose and throat. It usually begins with a cold in the head,

although it may result from breathing dust or any foreign matter that irritates the delicate membranes. Ordinary methods of treating catarrh are failures, simply because they do not reach the affected areas. You must heal those raw tender spots that are hidden away where liquids and sprays can never touch them. The best and most effective method is to inhale the fumes of 'Deo' each night and morning. Heat a spoonful of 'Deo' in a tin pan or cup and take in deep breaths of the soothing vapor. This destroys germs and assists in healing of the inflamed membrane in remote sections of the nasal passages. Next take a quantity of the ointment—the size of a pea—and insert in each nostril several times a day. Snuff it well up into the nasal cavity—don't let it remain just inside the nostrils. It is a good plan to carry a tube of 'Deo' with you and use it frequently during the day. Follow these directions and you will soon get relief from that stopped-up feeling, the hawking, spitting and throat-dripping. For Whooping Cough and Croup. Place a spoonful of 'Deo' in a tin pan or cup and heat gently over a lamp or candle. As the ointment melts, make the child inhale the rising fumes for a minute or two. This stops the coughing and gasping and keeps the air passages open. Repeat if necessary. Also apply a small quantity of 'Deo' up the nostrils, and rub thickly on neck and chest, covering with hot flannel. The above treatment has never been known to fail when used in time. Remember that croup cannot prove fatal as long as the air passages are kept open. General Instructions. For ordinary Coughs, follow the directions given for colds. For Asthma, inhale 'Deo' vapors when suffering an attack. For Piles apply the ointment freely with finger, two or three times a day. For Rheumatism, apply a thick coating of 'Deo' over the spot where you feel the pain. Cover with flannel and place a hot water bottle over it to drive the oils in. Repeat until relieved. For * * * Old Sores * * * apply 'Deo' freely several times daily, especially when going to bed. * * * For Toothache, fill cavity with 'Deo' and rub a little on the gums. * * * Remember that 'Deo' derives its remarkable * * * and healing properties from a special combination of real Australian Eucalyptus Oil with several other vegetable oils that are noted for their medicinal properties. * * * our process of combining various other oils with the eucalyptus that gives 'Deo' its remarkable medicinal value," were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 3, 1929 no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16377. Misbranding of Dina-Mite. U. S. v. 100 Cases of Dina-Mite. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23044. I. S. No. 0711. S. No. 1075.)

On September 5, 1928, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of Dina-Mite, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Dina-Mite Food Co., from Spokane, Wash., on or about July 10, 1928, and transported from the State of Washington into the State of Oregon and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of wheat middlings, bran flakes, and cracked flax.

It was alleged in the libel that the article, considered as a food, was misbranded in that the designations "Cereal" and "Whole Grains" were false and misleading and deceived and misled the purchaser, since the product contained bran and flax which are not cereals or whole grains; for the further reason that the statement "Net Weight 1½ lbs. when packed," borne on the label, was false and misleading and deceived and misled the purchaser, since the quantity stated was not correct; for the further reason that the article was food in package form and the quantity of contents was not plainly and con-

spicuously marked on the outside of the package, since the statement made was not correct. Misbranding of the article, considered as a drug, was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the labeling, were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed: "Your diet is your health. Eat properly and disease cannot exist. The many foods we eat may fail to furnish a balanced ration. Nature demands certain things before she can do her work correctly and many every day foods now are so highly concentrated they fail to contain certain essential elements. The human body is a delicately adjusted, marvelously functioning machine which responds with 100% efficiency when the diet is right, but it loses momentum, decays, and dies before its time when clogged with improper, over-rich food and burdened with faulty elimination. Feed your system—don't drug it. It has been said: 'Let me make the diet of a country, and I care not who shall prepare its medicine.' This is true because if the bodies of our growing children today get what Nature intended them to have they will have no need of medicines. * * * Health * * * The Foe of Constipation. * * * Healthful * * * Remember, the positive laxative effect is Nature's own * * * Eat your way to Health * * * The Discoverer was a life-long sufferer from Indigestion and Constipation. Today he has real health—because stomach trouble can be cured by correct eating. The logical preventive and remedy is correct eating, which is merely the selecting and balancing of your food at meals. * * * Dina-Mite is the regulator of perfect health. * * * Prominent physicians say at least 90% of the people are troubled with Constipation. Constipation causes the poisons of our system to be retained and eventually leads to other very serious diseases. Dina-Mite is a corrective for Constipation * * * Life-Giving Vitamines. * * * Its daily use gives the system of both young and old * * * those mysterious matters called vitamines which Science has just discovered and without which the human system cannot function correctly. * * * Physicians recommend Dina-Mite."

On March 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16378. Misbranding of R P Liniment. U. S. v. 33 Bottles of R P Liniment. Default decree of forfeiture and destruction. (F. & D. 23518. I. S. No. 05561. S. No. 1732.)

On March 11, 1929, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 bottles of R P liniment, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by the Alveo Chemical Co. (Inc.), from Jacksonville, Fla., on or about October 27, 1928, and transported from the State of Florida into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of volatile oil (97 per cent), including oil of pine.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle label) "R P Relieves Pain * * * for Pneumonia, Influenza, and La Grippe, Tonsillitis, Congestion of Lungs. Relieves Headache, Rheumatism, Neuralgia, Toothache, Earache, * * * and All Pains * * * For Earache, Deafness apply to base of ear * * * Stiff Joints," (carton) "Relieves Headache, Rheumatism, Neuralgia, Toothache, Earache, and all Pain * * * for Backache, Stiff Joints, and Rheumatism * * * will break up Congestion of the Lungs * * * affords almost instant relief from pain due to Headache * * * There is * * * relief from pain in every drop of R-P. Don't suffer! Immediate Relief is yours. R-P is a positive pain reliever * * * Swift, Sure. * * * Relieves Pain," (counter display carton) "Tonsillitis, Sore Throat, Toothache, Earache, Pneumonia, Influenza, LaGrippe, Headache, Neuralgia, Rheumatic Pains * * * R P Relieves Pain * * * Relieves Pain * * * Relieves * * * Headache, Rheumatism, Neuralgia Toothache, Earache, and all Pain * * * It is * * * penetrating * * * it will break up Congestion of the Lungs," (circular) "Why Suffer? * * *

Relief is immediate * * * Rheumatism, Neuralgia, Toothache, Tonsilitis, Mumps * * * Piles * * * Headache * * * Earache or Deafness * * * Catarrh * * * LaGrippe, Flu * * * Pneumonia, Congestion of lungs * * * it will penetrate the chest and break up congestion * * * Stiff Joints * * * Relieves Pain," were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of the diseases and conditions named therein.

On May 9, 1929, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16379. Misbranding of Sniff. U. S. v. 23 5/6 Dozen Bottles of Sniff. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23498. I. S. No. 01575. S. No. 1586.)

On March 6, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 5/6 dozen bottles of Sniff, remaining in the original bottles at St. Louis, Mo., alleging that the article had been shipped by the Paris American Corporation, Chicago, Ill., on or about January 21, 1929, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil, containing menthol, camphor, and turpentine.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent: (Bottle label) "Relieves * * * Hay Fever, Catarrh and a preventative for Flu and Sinus Troubles * * * Gives instant relief;" (display carton) "For neuralgia * * * for Hay Fever * * * for Asthma * * * Effective Inhalant * * * Instant Relief * * * Sinus Trouble, Flu, Hay Fever, Neuralgia, Catarrh, Asthma * * * Headaches * * * Keeps the * * * nostrils clear."

On May 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16380. Adulteration and misbranding of Campho-Quinine. U. S. v. 18 Packages of Campho-Quinine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23502. I. S. No. 04931. S. No. 1654.)

On March 7, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 packages of Campho-Quinine, remaining in the original packages at St. Louis, Mo., alleging that the article had been shipped by the Gordon Remedy Co., from Shelbyville, Ill., on or about January 3, 1929, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of acetanilide (1.72 grains per tablet), a small amount of a quinine salt, camphor, and an extract of a laxative plant drug.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Campho-Quinine," since the amount of quinine was insignificant and "each tablet contains 2 grains of acetanilid."

Misbranding was alleged for the reason that the statement, borne on the carton container, circular, and display carton, "Campho-Quinine," was false and misleading, since the tablets contained an insignificant amount of quinine. Misbranding was alleged for the further reason that the package failed to bear

a statement on the label of the quantity or proportion of acetanilide contained therein, since the declaration was incorrect. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Carton container) "LaGrippe * * * take one tablet each hour until 3 have been taken, then from 3 to 6 hours apart as needed;" (display carton) "For LaGrippe;" (circular) "For coughs satisfactory results should be obtained. Adults take one tablet each hour until 3 are taken, then from 3 to 6 hours apart as needed for Malaria."

On May 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16381. Misbranding of Knoxa cold tablets. U. S. v. 10 Gross Packages of Knoxa Cold Tablets. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23474. I. S. No. 07782. S. No. 1689.)

On or about February 26, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 gross packages of Knoxa cold tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped (by the L. J. Barnet Co.) from Des Moines, Iowa, and transported from the State of Iowa into the State of Washington, arriving at Seattle on or about December 24, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilide, a quinine salt, powdered crude drugs including a laxative plant drug, resins, and traces of aloin, capsicum, ipecac alkaloids, and mydriatic alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements, regarding the curative and therapeutic effects of the article, borne on the label, (carton) "For * * * LaGrippe * * * for * * * an attack of LaGrippe," (display carton) "For * * * LaGrippe," (circular) "For * * * attack of LaGrippe * * * for * * * einem Anfall von LaGrippe," were false and fraudulent.

On April 17, 1929, no appearance having been entered in the case, a default decree of condemnation, forfeiture, and destruction was entered. Subsequently the Bartell Drug Co., Seattle, Wash., appeared as claimant and filed a stipulation for the posting of a surety bond for the reconditioning of the product. On May 17, 1929, an order of the court was entered releasing the said product to the claimant under bond in the sum of \$250, the conditions of said bond requiring that the article be brought into compliance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16382. Misbranding of Fluin. U. S. v. 51 Packages of Fluin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23353. I. S. No. 03638. S. No. 1493.)

On January 29, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 51 packages of Fluin, remaining in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the Fluin Co., New York, N. Y., on or about January 4, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of camphor amidopyrine and a compound with a hexamethylene tetramine nucleus.

It was alleged in the libel that the following statements, borne on the labels, were false and misleading: (Circular) "It is absolutely harmless;" (folder enclosed in display carton) "It contains no harmful ingredients * * * having antitoxical and antibacterial functions, eliminating the poisons and inhibiting the growth of germs producing the disease. It possesses * * * a diuretic." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the said article,

borne on the labels, (display carton) "An effective treatment for * * * Influenza, Sore Throat * * * Prevent Pneumonia * * * Fluin Tablets—prevent Pneumonia * * * Fluin," (folder enclosed in display carton) "Fluin * * * Influenza, Sore Throat * * * and the complications usually arising from them. If taken in time, Fluin will tend to prevent * * * influenza developing into pneumonia * * * having antitoxical and antibacterial functions, eliminating the poisons and inhibiting the growth of the germs producing the disease. It possesses * * * a diuretic. * * * Influenza * * * well known to be * * * one of the most dangerous of modern diseases, because of the frequency with which they develop into Pneumonia. * * * A great public demand has arisen for a real remedy for these diseases. Fluin meets these requirements. * * * Why, then, take a chance with * * * Influenza and their resulting complications, when so effective treatment is at hand? * * * Influenza-Grippe * * * Sore Throat," (label) "Fluin * * * highly effective treatment for Influenza, Sore Throat * * * for * * * Influenza," (circular) "Fluin is * * * effective and scientifically proved treatment for * * * Influenza (Grippe). Sore Throat, and * * * is especially valuable for the prevention of complications arising from * * * influenza. Its function is antitoxical and antibacterial, eliminating the poisons and inhibiting the growth of the germs producing the disease. * * * Influenza-Grippe * * * Continue if necessary. Sore Throat," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the said article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16383. Misbranding of Hi-Grade Kold Breakers. U. S. v. 134 Boxes of Hi-Grade Kold Breakers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23563. I. S. No. 02784. S. No. 1766.)

On or about April 3, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 134 boxes of Hi-Grade Kold Breakers, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Continental Drug Co., from Alton, Ill., February 18, 1929, and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the uncoated tablets contained acetanilide (0.97 grain per tablet), capsicum, and extracts of laxative plant drugs including podophyllin, a small amount of iron salts, and sulphates.

It was alleged in the libel that the article was misbranded in that the statements, borne on the carton, "For * * * Influenza * * * Grippe * * * An effective * * * treatment for * * * Grippe. * * * Influenza," regarding the curative and therapeutic effects of the said article were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 10, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16384. Misbranding of Bu-Ku-Jin elixir. U. S. v. 81 Cartons of Bu-Ku-Jin Elixir. Decree of condemnation entered. Ordered that product might be released under bond. (F. & D. No. 22739. I. S. No. 22155-X. S. No. 775.)

On May 2, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 81 cartons of Bu-Ku-Jin Elixir, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Tonkin Distributing Co., from San Francisco, Calif., and transported from the State of California into the State of Washington, arriving at Seattle on or about March 29, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of alcohol, sugar, and water with traces of flavoring oils and extractives from plant drugs including buchu.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labels, (bottle label) "An effective diuretic in kidney and bladder disorders," (display card) "The doctor says, 'In kidney and bladder disorders I recommend Bu-Ku-Jin Elixir,' (shipping carton) "Bu-Ku-Jin Elixir for kidney and bladder disorders," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16385. Misbranding of Pneumatica. U. S. v. 9½ Dozen Packages of Pneumatica. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23426. I. S. No. 03098. S. No. 1597.)

On or about February 26, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9½ dozen packages of Pneumatica, remaining in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Charles F. Polk Co., Troy, N. Y., on or about January 5, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of petrolatum containing capsicum, methyl salicylate, phenol, camphor, and mydriatic alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (tube) "Pneumatica (Pneumo-Gesic Balm) * * * Quick in Action, Certain in Results," (carton) "Pneumatica (Pneumo-Gesic Balm) * * * An external application for Pneumonia, Croup, Asthma, Bronchitis, Rheumatism, Neuritis, Lumbago, Sciatica, Pleurisy, * * * and all Other Forms of Internal Congestion, Inflammation, and Consolidation," (display carton) "Pneumatica * * * for Rheumatism * * * for Neuritis * * * for Lumbago * * * for Bronchitis * * * for Pneumonia * * * for Pleurisy," (circular) "Pneumonia * * * (Pneumo-Gesic Balm) * * * relieves pain and its record in the treatment of Pneumonia during the past twenty years is one of constant success * * * It displaces * * * any kind of external home or professional method for treating internal inflammation or congestion by external application, being more effective than most methods. It is a powerful skin and tissue stimulant, is quick in its action, thus relieving pain instantly and is certain in its results. * * * it has repeatedly proven itself one of the most effective combinations ever manufactured for the external treatment of pains and aches from Congestion, Consolidation, or Inflammation. * * * recommended for its instantaneous action * * * Especial attention of the physician is called to its great value in cases of Pneumonia. Pneumatica * * * is the most valuable first aid for all the complaints mentioned * * * quick action is desired, apply liberally and massage or rub it well into the skin. * * * Has been * * * used in the following complaints: Pneumonia—Apply to chest and back as directed by physician. Rheumatism, Neuralgia.

Neuritis, Lumbago, Sciatica, Pleuritic Pains, Peritoneal Pains, Chest or Tubercular Pains, Stiff Joints, Bronchitis, Deep Seated Colds, Sore Throat, Asthma, Sprains, Strains * * * Backache, Pleurisy, Stomach or Bowel Pains, Croup, Whooping Cough and Pains Suffered by Gassed Veterans of the Late War * * * Pneumonia seems to reach the seat of the trouble in a marvelously short space of time," were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On April 9, 1929, by consent of the claimant, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16386. Misbranding of Good Samaritan ointment. U. S. v. 5 $\frac{1}{4}$ Dozen Packages of Good Samaritan Ointment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23447. I. S. No. 03610. S. No. 1594.)

On February 25, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 $\frac{1}{4}$ dozen packages of Good Samaritan ointment, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Good Samaritan Ointment Co., from Philadelphia, Pa., on or about January 23, 1929, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a wax and fatty acid base containing methyl salicylate, lead carbonate, and oil of sassafras.

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article (carton) "Good Samaritan Ointment, Truly Antiseptic," (circular) "Good Samaritan ointment is Germicidal—or Germ Killing—Absolutely Kills the Germs," were false and misleading.

Misbranding was alleged for the further reason that various statements, as follows, borne on the tin containers and cartons and in the accompanying circulars, relative to the curative and therapeutic effects of the said article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein: (Tin container) "Abscesses, Asthma, Backache, Bites, Boils, Bronchitis, * * * Carbuncles, * * * Diphtheria, Eczema, * * * Gathered Breasts, Hoarseness, Inflammation of the Bowels, Inflamed Wounds, * * * Milk to Dry while Nursing, Mumps, Neuralgia, Piles, Pneumonia, Proud Flesh, Quinsy, Rheumatism, Ring Worms, Sore Throat, * * * Salt Rheum, Tonsillitis, White Swellings, To Reduce all Swellings, Wounds from Nails, and to prevent Lockjaw. * * * Blood Poison * * * Croup * * * Ingrown Nails, Lumbago, Lamé Back * * * Pimples * * * Stiff Joints * * * Toothache;" (carton) "For Abscesses, Asthma, Backache, Boils, Bronchitis, * * * Carbuncles, * * * Diphtheria, Eczema, * * * Gathered Breasts, Hoarseness, * * * Inflammatory Rheumatism, Inflammation of the Bowels, Inflamed Wounds, Milk to Dry Up while Nursing, Mumps, Neuralgia, Pneumonia, Piles, Proud Flesh, Quinsy, Rheumatism, Ring Worms, * * * Swollen Tonsils, Tonsillitis, White Swellings, Sore Throat, to Reduce Swellings, Wounds from Nails, to Avoid Lockjaw, Wounds from Dog Bite or any Poisonous Insects, Etc. Spread thickness of a silver dollar on muslin and allow twenty-four to forty-eight hours for best results. * * * For Quinsy, Sore Throat, Tonsillitis, Mumps, Hoarseness, Scarlet Fever, spread one full box on muslin, apply next to skin and bandage with flannel and allow twenty-four to forty-

eight hours for good results. * * * For Croup, * * * Coughs or Pneumonia, make muslin bib, spread one full box on it and apply next to skin, allow twenty-four to forty-eight hours for best results (but do not remove until entirely rid of the trouble). For Inflammation of the Bowels, use the same amount, applying Ointment on abdomen;" (circular) "Highly Beneficial in Relieving 36 Ills * * * For Chest and Throat Troubles, Asthma, Bronchitis, Croup, * * * Hoarseness, Mumps, Quinsy, Sore Throat in Scarlet Fever, or Rash, Tonsillitis, Sore Throat of any kind, Pneumonia, Neuralgia, Piles, Proud Flesh, * * * Rheumatism, Salt Rheum, * * * Lamé Back or Lumbago, Child Paralysis, * * * Poison Wounds of any kind, White Swelling, Ring Worms * * * Invaluable in the Treatment of Influenza and LaGrippe, For Chest, Throat, or Back * * * Abscesses or Localized Inflammation, Abscesses, Boils, * * * Carbuncles * * * Gathered Breasts * * * Inflammatory Rheumatism, Inflammation of the Bowels, Inflammation of any sort, Milk to Dry up while Nursing, Varicose Ulcers, Inflammation of Joints, Running Sores or Ulcers, Glandular Inflammation such as Bealed or Caked Breasts, Prevents Pneumonia, Lockjaw, Blood Poison, Hydrophobia, and Tuberculosis. Especially good in the treatment of piles * * * Apply Ointment next to skin or wound and bandage with cotton or flannel as it keeps the parts warm and will act quicker. For trouble in Chest or Croup, make a bib of muslin, sow on two or four strips, cut so it fits close to the throat, spread on one full 35c. box and tie on. For Bealed or Caked Breast or drying up of nurse, spread the $\frac{1}{2}$ of a 75c. box. For Quinsy or Throat Trouble take muslin about four inches wide, spread the $\frac{1}{2}$ of a 75c box, using flannel around neck. * * * For inflammation of bowels or Stomach or Pneumonia or Lamé Back or Lumbago or for a Stiff Knee or Hip or Rheumatism, spread $\frac{3}{4}$ of a 75c. box. * * * Spread Ointment $\frac{1}{8}$ to $\frac{1}{4}$ inch thick like poultice for any of the ailments mentioned and allow 24 to 48 hours for best results (but do not remove until entirely healed or rid of the trouble). For Eczema or running sores spread the Ointment a little thinner for the first one or two applications. * * * Use for any kind of poison. * * * Stiff Joints. * * * my daughter, Mary, was hurt * * * caused by a neighbor girl picking her up and bouncing her on a spring bed with no mattress on it; * * * The little girl's limbs having been sprawled out in bouncing her, the hips and limbs were utterly disabled and in one hour afterward were swollen twice their regular size and very hot. * * * Our doctors pronounced the ailment as inward curvature of the spine. * * * another specialist * * * made an examination of the child and said she had double hip joint disease, and that she would never be cured unless she was taken to the hospital and an extension and weights put on her limbs. The child's legs were rigid and could not be moved at all. * * * a gentleman demonstrating Good Samaritan Ointment called * * * He spoke of different children that had trouble of this nature that the Ointment had entirely healed. * * * We commenced using it immediately, and the first night the Ointment was used the child slept all night and seemed to be free from pain * * * we used the Ointment on a muslin and kept it on constantly, only taking it off twice a day to rub the hips with the Ointment, rubbing in all we could. We continued the treatment for three months and at the end of this time one of little Mary's limbs became loose in the hip socket and she was able to move it, and likewise the other limb loosened in the hip socket and she was able to walk around a chair. I am positive that the Good Samaritan Ointment cured this child * * * who would scream with pain every night for six months. When we commenced the use of this Ointment the child's hips were locked in such a way that a strong man could not move her limbs, but were perfectly rigid. * * * Good Samaritan Ointment is the best Ointment or dressing on the earth for * * * swollen joints or rheumatism. * * * I * * * used Good Samaritan Ointment * * * for boils and sores * * * I used Good Samaritan Ointment for a large boil on my arm. It opened it without any pain and healed it up nicely. I also used it for an abscess on my finger; that is certainly healed nicely. * * * my knee became stiff from childbirth, and remained in that condition three years. A friend asked me to use Good Samaritan Ointment, which I did. It has allayed all the pain and swelling. * * * My son had Paralysis when he was 8 months old and never walked until he was over 3 years old. * * * A friend asked us to use Good Samaritan Ointment which we did and in a week's time the child could walk. We continued rubbing the limb with the Ointment and

by applying it on muslin the limb became strong and normal in size and today it is as strong as the other limb. * * * My little 4-year-old daughter had a stiff knee for over two years, the knee was terribly swollen and rigid, and could not be moved at all. I applied one box of Good Samaritan Ointment on muslin and put it on the knee; in two weeks the swelling and all the stiffness was gone and she has had no trouble since. * * * My wife had a weak wrist for several months from having sprained the ligaments. She used Good Samaritan Ointment six days, in which brief time the wrist had gained its normal strength. Abscesses * * * A cart backed on my ankle and bruised the bone forming an abscess, which broke open. I suffered for six weeks, and on October 31, 1908, I trampled on a round object that turned and badly wrenched the ankle. On December 2, 1908, I applied Good Samaritan Ointment on the ankle and in a short time it had the wound healed up nicely and the ankle is as strong as ever. * * * I have had trouble with my limb for the past 10 years, or since 1899. A place would break open over the shinbone as large as my hand, and also on the ankle. The whole limb would be actually raw. I was asked to try Good Samaritan Ointment in the summer of 1907, which I did. The leg healed up solid in a few months' time. * * * I treated a very serious wound in the hand with Good Samaritan Ointment. Blood poison and other serious complications were threatened and when the wound was at its worst I used your Ointment. The pus was drawn out painlessly and the injury healed nicely. I recommended the Ointment to a friend who had a bad knee of long standing and the Ointment really performed remarkable work in his case, too. * * * About eighteen years ago I fell and struck my spine on the end of a tie and since that time I have been troubled with an abscess or running sore on the spine. * * * As a traveling salesman it gave me a great deal of trouble as I could not sit on a chair or a seat, nor could I drive without almost killing me. Good Samaritan Ointment was recommended for Abscesses; I tried a box and am happy to say one box and a half has entirely cured it. I am like anyone else now; I can drive for weeks and do not have any trouble from it at all. * * * I have used it for * * * sores * * * I used your Ointment for caked breast and in thirty hours was completely cured. * * * I was troubled with quinsy for a number of years. Two years ago I was threatened with quinsy and had a terrible sore throat. I put a plaster of Good Samaritan Ointment on my throat before I went to bed and the next morning my throat was very much better and the next day I went to work. It did not form an abscess and I have never been troubled any with my throat since. It has entirely cured my throat. * * * My son had pneumonia so bad that we thought he could not live. But as a last resource I tried your Good Samaritan Ointment, and in 24 hours there was a decided change for the better. We continued to use it until he was entirely cured, and for quinsy my wife would not be without it. * * * I used the Good Samaritan Ointment for my son who was suffering from an attack of croup, and it relieved him in a short time. * * * It is a great thing for croup. It has just brought my three-year-old boy with croup around O. K. * * * My niece was suffering from Croup and we used the Good Samaritan Ointment and had speedy relief. If used when the fever presents itself you will never be troubled with any croup. * * * Chest and Throat Troubles * * * My wife had a severe sore throat for which she used Good Samaritan Ointment and over night it did very effective work. * * * One of my children had Scarlet Fever and Sore Throat. I applied your Good Samaritan Ointment and it gave relief * * * It has saved two of my children from death—one with diphtheria and the other with scarlet fever, * * * My son has had asthma for the past fourteen years and was so bad that he could not lie down in bed; we thought at times that he could not live. He would struggle to get his breath * * * He was simply pining away and weighed only 60 pounds. * * * He had a very bad attack, and a friend asked us to use Good Samaritan Ointment, which we did, we used two 35-cent boxes on a muslin bib over the chest and bronchial tubes. The first hour we had it on we noticed a big change. He began to breathe easier, and the next day he did not appear to have hardly any trouble in breathing. We used the Ointment on his chest for about two weeks, when the bronchial tubes were healed, and he has not had an attack since we used the Ointment. He has gained in weight and in strength, and is working every day, and is entirely rid of the asthma. * * * the last two years three different doctors have

been doctoring me for Consumption and had me about scared to death. I thought I was certainly gone. A friend asked me to try Good Samaritan Ointment; when I did, I made a muslin bib and spread it thick with the Ointment and put it on and in a couple of days I found it was giving relief. I kept on with it and have used three boxes and do not have any trouble at all. * * * I am far from dying with Consumption. I can recommend it for Chest and Lung Trouble. * * * Cancer * * * For two years I have been doctoring for what the doctors pronounced cancer on my breast, with no relief. I used one and a part of the second box of Good Samaritan Ointment and it entirely cured me with no sign of a sore now. * * * Eczema * * * Having used it only one week and find an almost complete cure after being afflicted with disease for the past ten years. * * * I used Good Samaritan Ointment for Eczema on child's head. We thought he would never have any hair on the back of his head. The Ointment cleaned the scalp off entirely, and he has as nice a head of hair as anyone could have. * * * For twenty-two years I have been suffering with Eczema * * * It was something awful from the knee to my instep, and it almost set me crazy. The yellow water discharge ran down into my shoe. * * * I was asked to try Good Samaritan Ointment, which I did, and will say I used seven boxes and am entirely cured. I have not used any since January, and there is no sign of it ever returning. I would recommend it to any and all suffering with Eczema. * * * I also used it for a wound from a nail, for which it certainly has done elegant work. I would recommend it for * * * poisonous wounds. * * * Piles * * * Have used your Ointment for piles with which I have been troubled for fifteen years, and must say I have never used anything that did me so much good. * * * I had piles as bad as it is possible for any person to have. I could hardly get around or sit down. I used Good Samaritan Ointment, and it entirely healed them. I also used it for ivy poison, which it cured very nicely. My father and mother were cured of Eczema with the same, that they had been suffering from for a number of years. I do heartily recommend it for any of the above. * * * Inflammation * * * I recommended Good Samaritan Ointment to a friend, who had a gathered breast in confinement and in three days was back to its normal size and all the inflammation gone. Abscesses * * * I used an application of Good Samaritan Ointment on my boy's face, where an abscess formed was as large as an egg. The Ointment entirely absorbed it in five days. * * * I would recommend it to any person for abscesses * * * I had several carbuncles * * * I applied Good Samaritan Ointment and got entirely rid of my trouble. It is the greatest Ointment I ever used and would recommend it to any person for carbuncles or boils. * * * Quinsy * * * My wife has used Good Samaritan Ointment for quinsy and found it very efficient in retarding the same. * * * I used an application of Good Samaritan Ointment on my throat for quinsy; in three days was entirely rid of same * * * We used Good Samaritan Ointment twice in our home for quinsy and also for ingrown nail and several other things, which you claimed it would cure. I cheerfully recommend it for quinsy and ingrown toe nails. Coughs * * * whooping cough, I applied an application of Good Samaritan Ointment on my child before going to bed, and the next morning the child's cough was allayed, and in less than one week was entirely rid of same and I would cheerfully recommend it to anyone. Eczema * * * I had eczema on my arm for three years * * * I applied Good Samaritan * * * The first application allayed all the itching and two thirty-five cent boxes, in two months entirely healed the arm, which was open from the elbow to the wrist. It has healed it without a scar. Good Samaritan is without an equal for eczema or any skin eruptions. Ulcers or Fever Sores * * * I had an ulcer or fever sore from my knee to my ankle for seven years * * * and had the doctor tell me they never could be healed. * * * I started to use Good Samaritan on my limb; the first application allayed the inflammation and soreness and the limb started to heal from the inside at once, by March, 1911, the limb was entirely healed. I will cheerfully recommend Good Samaritan Ointment to any person for a fever sore or ulcer. * * * I had one ulcer after another form on my eye, for months, caused by the poison or fumes from the material I used in my work. I used one application of Good Samaritan Ointment on my eye, on or about December 15, 1910. In two nights it entirely healed the ulcer on my eye and there has never another appeared up until this time, April 6, 1911. I will cheerfully recommend it to anyone for any in-

flammation. * * * By coming in contact with the smoke, rosin, and heat from the ovens and cores, caused ulcers to form on the sight of my right eye * * * Good Samaritan Ointment was recommended to me for my trouble and I * * * applied the Ointment on my eye and in two weeks I could go back to my work, with the eye entirely healed and there has never been an ulcer form on my eye up until this time, * * * I would recommend it to every one with an inflammation of the eye. * * * It was first used for a gathered breast about 1863. The next ailment it was used for was Quinsy for a man in 1881, who had weak throat which would form an Abscess two or three times a year. He used about three-quarters of a box of the Ointment on muslin on his throat, and has never been troubled with his throat since. * * * If a child has Croup and you make a bib and spread one full box on bib and put on child's chest, in twenty minutes you can go to bed contented that the child will not choke to death. It has saved children with Membraneous Croup * * * In from twenty minutes to one hour after the Ointment was applied the child's chest had commenced to loosen up, and the next day the child was up and around. There is no such thing as Typhoid Pneumonia where it is used. It saved the writer's life in 1894, when he had Pneumonia. It will get rid of the inflammation and congestion the first day you apply it, but it is best to keep on the application for four or five days, or until entirely healed. For Asthma and Bronchitis it will entirely get rid of either and heal the bronchial tubes. * * * Also where blood poison and other serious complications had set in by the use of the Ointment, all inflammation and poison was drawn out and the wound healed up entirely. For a Felon, it will never form an abscess, nor break open and allow the bone to sluff [slough] away. The Ointment is worth its weight in gold for anything of that kind. Where a foot has been frosted for twelve or thirteen years and broke open every year, causing trouble, the Ointment entirely healed and has never broken open or given any trouble since. It will counteract any poison from a wound of a nail, glass, or tin, and there is no danger of Lockjaw or Blood Poison with any poisonous wound, such as a bite from a dog, cat, or any poisonous insect. For stiff joints, where a knee joint has been stiff for over two years, and they applied one box of the Ointment, in ten days all the swelling and stiffness was gone and the child's knee was normal and entirely rid of the stiffness. For child paralysis—at the age of eight months a child had paralysis and had never taken a step until it was over three years old. After an application of one box of the ointment on the limb for three weeks the child walked, and has been walking ever since. It healed a lady who had rheumatism for years, and from February until the latter part of October was in bed with her knees and elbows stiff. If she would sit on a chair she could not get up unless they would lift her up. They spread five boxes of Good Samaritan Ointment on three pieces of muslin and applied one on each knee and on the one elbow on Saturday evening. The next day she could get up from the dinner table herself, and by Thursday practically all the swelling and stiffness was gone, and she could walk through the house without either a cane or crutch. For Rheumatism or Lame Back, Lumbago, or any weakness or congestion, there is nothing on the earth that will penetrate or work out like the Ointment. It is nothing more than an aid to nature, and where nature is not performing its work the Ointment will set up a circulation and assist nature. In the year 1908, a man lying on a roller chair never to get off or never able to put his feet on the floor, with an injured back has by the use of four boxes of the Ointment, got off of the chair in one week and could sit up on the edge of his bed without any assistance, and in from six to seven weeks could walk on crutches. The ninth week he could go carriage riding. It healed a child that had both hips thrown out of socket for over six months, and which had become rigid and could not be moved at all. In three months, with the use of nine boxes of Ointment, the callouses were absorbed and the hips were back in their sockets in their normal condition. For Protruding Piles, where they have a cluster of three or four as big as the end of your thumb and they have made an application of the Ointment, in thirty minutes that person can go to sleep without any pain or annoyance. In the morning they are entirely absorbed and they have not had any trouble since. A man that was injured at a barn raising fourteen years ago, and has had abscesses on the spine, stomach, and groins which would confine him to his bed for days, not being able to do any hard work at all. He would get still and sore through the body, but has since gained in strength and in weight, and is now able to do hard work and has never had any abscess form or been confined to bed a day since he used the Ointment."

On March 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16387. United States v. 48 Bottles of Fulton's Compound, RX 1, et al. Hearing on exceptions to libel. District Court rules for claimant. Libel ordered dismissed. Appeal by Government to rulings. Circuit Court of Appeals rules for Government, reversing lower court. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 22928. I. S. Nos. 0201, 0202. S. No. 995.)

On August 3, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 48 bottles of Fulton's Compound RX 1 and 24 bottles of Fulton's Compound RX 2, remaining in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped by the John J. Fulton Co., from San Francisco, Calif., and transported from the State of California into the State of Washington, arriving at Seattle on or about July 2, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium and calcium compounds, nitrates, sulphates, borates, extracts of plant drugs including uva ursi, a laxative drug, and glycyrrhiza, salicylic acid, a trace of alkaloid, alcohol, and water.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative and therapeutic effects of the said articles, (Fulton's Compound Rx 1, bottle label) "We have received many letters from Physicians reporting in cases * * * of * * * Bright's Disease * * * Albuminuria * * * Nephritis, that the use of this Compound was attended with decrease in the Albumen in the urine, or improvement in the physical condition of the patient, or both. * * * If stomach is weak take half doses until tone of stomach is improved * * * Write for free copy of the Renal Digest presenting epitomes of many Professional reports, (wrapper) "We have received many letters from Physicians reporting in cases * * * of * * * Bright's Disease * * * Albuminuria, * * * Nephritis, that the use of this Compound was attended with decrease in the albumen in the urine, or improvement in the physical condition of the patient, or both," (circular) "We have received many letters from Physicians reporting in cases * * * of * * * Bright's Disease * * * Albuminuria and * * * Nephritis, that the use of this Compound was attended with decrease in Albumen in the urine, or improvement in the physical condition of the patient, or both. We mailed copies of the Renal Digest containing epitomes of several hundred of these reports, with ingredients and Rationale, to the Physicians of the United States and will mail copies upon application to all interested. * * * Where the heart is involved or there is dropsy and the patient is on helpful heart treatment, elimination or tonics it is common practice to advise continuance of same with the Compound until no longer necessary. * * * The late Dr. P—— of California, who had important experiences with this treatment, stated he relied almost solely on the compound and appropriate diet. Another very successful Physician aided it by prescribing for the most troublesome symptoms. Both reported good results. * * * But from a large mass of correspondence it seems probable that a great majority of the cases were simply on the Compound and diet. Patience is necessary for many professional reports do not begin to record decreasing albumen until after the tenth to fifteenth days, the physical improvement gradually following. Occasionally this is reversed, some reports recording physical improvement before the albumen shows much response. Hence as above stated, patience is necessary. Directions. Mild Cases * * * More Advanced Cases * * * Advanced or Extreme Cases * * * If stomach is too weak take half doses in a little hot water till full dose can be taken. * * * Test for Albumen Simple formula for making quantitative tests for albumen, so the changes may be compared, will be mailed free on application. John J. Fulton Co., 88 First St., San Francisco, Cal.," (Fulton's Compound RX 2, bottle label) "We have received many letters from physicians reporting in cases designated therein as Diabetes that the use of this Compound was attended with decrease in the sugar in the urine, or improvement in the physical condition of the patient or both. * * * If stomach is weak, take

half doses until tone of stomach is improved. Write for free copy of the Diabetic Digest presenting epitomes of many Professional reports on the results following the use of this Compound," (wrapper) "We have received many letters from Physicians reporting in cases designated therein as Diabetes that the use of this Compound was attended with decrease in the sugar in the urine, or improvement in the physical condition of the patient, or both," (circular) "We have received many letters from Physicians reporting in cases designated therein as Diabetes that the use of this Compound was attended with a decrease in the sugar in the urine, or improvement in the physical condition of the patient, or both. We mailed copies of the Diabetic Digest recapitulating and summarizing several hundred of these reports, with ingredients and Rat onale, to the Physicians of the United States and will mail copies upon application to all interested. If you desire a copy, send your address. * * * The late Dr. P—— of California, who had important experience with the treatment, states he relied almost solely on the compound and appropriate diet. Another very successful Physician aided it by prescribing for painful or troublesome symptoms. Both reported good results. * * * But from a large mass of correspondence it seems probable that a great majority of the cases were simply on the Compound and Diet. * * * Patience is necessary, for many professional reports do not begin to record decreasing sugar until after the tenth to fifteenth day, the physical improvement gradually following. Occasionally this is reversed, some reports recording physical improvement before the sugar shows much response. Hence, as above stated, patience is necessary. * * * Mild Cases * * * More Advanced Cases * * * Advanced or Extreme Cases * * * and with same will include instructions for making sugar tests so the changes may be compared," were false and fraudulent, since the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed.

The John J. Fulton Co., San Francisco, Calif., entered appearance as claimant for the property and filed exceptions to the libel. On September 10, 1928, a hearing was held before Judge Neterer, who sustained the exceptions of the claimant, to which ruling the Government excepted. On October 5, 1928, the Government petitioned for a rehearing on the said exceptions, which petition was denied. On November 7, 1928, an order was entered by the court dismissing the libel. On January 21, 1929, the Government filed notice and petition for appeal from said rulings and dismissal of the libel.

On June 14, 1929, the Government's appeal came on for argument before the Circuit Court of Appeals for the Ninth Circuit, Judges Rudkin, Dietrich, and Wilbur sitting. On July 1, 1929, the Circuit Court of Appeals handed down the following opinion sustaining the Government and reversing the lower court (Derrick, F. S.):

"Appellant filed a libel of information against 48 bottles of an article of drugs labeled in part 'Fulton's Compound RX 1' and 24 bottles of another article of drugs labeled in part 'Fulton's Compound R X 2,' which it alleges were shipped in interstate commerce from San Francisco to Seattle and which it charges were misbranded in violation of Paragraph Third of Section 8 of the Food and Drugs Act, as amended (21 USCA Sec. 10). By that provision it is declared that an article of drugs shall be deemed to be misbranded, 'If its package or label shall bear or contain any statement, design, or device, regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false and fraudulent.' In the libel are exhibited the labels, wrappers, and attending circulars, followed with the averment that the bottles were so misbranded in that the labels, wrappers, and circulars 'are false and fraudulent since the articles contain no ingredient or combination of ingredients capable of producing the effect claimed.' Sustaining an exception to the libel upon the ground that it failed to state sufficient facts to constitute a cause of action, the court below entered a judgment dismissing it, and libelant appeals.

"The point of the exception is that nowhere in the label, wrapper, or attending circular does the proprietor or shipper make any direct statement or representation that the drugs are of curative or therapeutic value. In each case there is the statement 'We have received many letters from Physicians reporting,' followed by what is represented to be the substance of such 'reports,' which admittedly would tend to engender a belief to persons suffering from diabetes or Bright's disease that the use of the drugs would likely afford them relief. Unless we discredit their mental competence, such, we must presume, was the intent and expectation of the proprietors. Their

contention is that they have such letters or reports and that that fact constitutes a complete defense whatever may be the character of the drugs. But if, as is alleged, the drugs are worthless the proprietors cannot escape responsibility by hiding behind the phrase 'the doctors say.' Couched in such language undoubtedly the printed matter makes a more persuasive appeal to the credulity of sufferers from these diseases than if the representations thus implied were made directly upon the authority alone of the proprietors, and for that reason they are not less but more obnoxious to the law. The charge is that they are not only false but fraudulent, thus implying bad faith on the part of the appellee, and of course we are presently concerned only with the sufficiency of the charge and not at all with the character or degree of proof required to substantiate it. The point does not require extensive review of the decided cases for conclusive, we think, is the principle of construction set forth in the following quotation from the opinion of the Supreme Court in *United States v. 95 Barrels of Vinegar*, 265 U. S. 438: 'The statute is plain and direct. Its comprehensive terms condemn every statement, design and device which may mislead or deceive. Deception may result from the use of statements not technically false or which may be literally true. The aim of the statute is to prevent that resulting from indirection and ambiguity, as well as from statements which are false. It is not difficult to choose statements, designs and devices which will not deceive. Those which are ambiguous and liable to mislead should be read favorably to the accomplishment of the purpose of the act.'

The case was thereupon remanded to the United States District Court for the Western District of Washington for trial. On September 19, 1929, the claimant having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

16388. Adulteration and misbranding of liquid culture *Bacillus Bulgaricus* and tablets *Bacillus Bulgaricus*. U. S. v. 10 Boxes of Liquid Culture *Bacillus Bulgaricus*, et al. Product ordered released under bond. (F. & D. No. 22853. I. S. Nos. 19311-x, 19312-x. S. No. 908.)

On July 7, 1928, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 boxes of liquid culture *Bacillus Bulgaricus* and 378 packages of tablets *Bacillus Bulgaricus*, remaining in the original unbroken packages at St. Louis, Mo., alleging that the articles had been shipped by Parke, Davis & Co., from Detroit, Mich., on or about May 10, 1928, and transported from the State of Michigan into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Examinations of samples of the articles by this department showed that the liquid culture *Bacillus Bulgaricus* contained either no viable lacto-bacilli organisms or not more than 1,000 of the organisms per cubic centimeter, and the tablets *Bacillus Bulgaricus* contained no viable lacto-bacilli organisms.

It was alleged in the libel that the articles were adulterated in that their strength fell below the professed standard or quality under which they were sold, namely, "Liquid Culture *Bacillus Bulgaricus*" and "Tablets *Bacillus Bulgaricus*."

Misbranding was alleged for the reason that the statements, as follows, borne on the labeling, regarding the curative and therapeutic effects of the said articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Liquid culture *Bacillus Bulgaricus*, circular) "The unusual longevity of the peasants of Bulgaria is quite generally known, and is attributed to the fact that these people depend upon a sour curdled milk as a major part of their diet. This sour milk so generally consumed by them goes by the name of Kissélo-mléko * * * Investigations into the nature of Kissélo-mléko and the reason for its purported effect on the length of human life have revealed the presence of three predominating microorganisms * * * Of the three organisms isolated, one, *Bacillus Bulgaricus*, is considered of the greatest value in correcting intestinal disorders caused by the presence of objectionable putrefactive organisms in the intestine. This beneficial action * * * By exact determination of the intestinal flora before and after taking *Bacillus Bulgaricus*, it has been demonstrated, in a limited number of cases, that the predominance of the fermentative organisms over the putrefactive organisms is almost complete in three to four

days after the first dose has been digested. * * * To obtain the maximum effect;" (tablets *Bacillus Bulgaricus*, carton and bottle label) "Enteritis, infectious diarrhea, infantile diarrhea, and other gastro-intestinal affections of bacterial origin."

On February 15, 1929, Parke, Davis & Co., St. Louis, Mo.; having appeared as claimant for the property and having tendered bond in the sum of \$100, conditioned as provided by law, it was ordered by the court that the bond be approved and the product delivered to the said claimant upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16389. Adulteration and misbranding of alterative tablets, combination tablets, heart sedative tablets, phenolphthalein tablets, phenolphthalein compound tablets, phenacetin tablets, rheumatism tablets, and strychnine sulphate tablets. U. S. v. P. H. Mallen Co. **Plea of guilty.** Fine, \$100 and costs. (F. & D. No. 22531. I. S. Nos. 14251-x, 14252-x, 14257-x, 14259-x, 14260-x, 14261-x, 14262-x, 14266-x.)

On March 16, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the P. H. Mallen Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about July 30, 1926, from the State of Illinois into the State of Michigan, of quantities of drugs in tablet form which were adulterated and misbranded. The articles were labeled in part, respectively: (Bottles) "No. 1 A. Alterative * * * Arsenicum 1/60 gr. * * * Prepared By P. H. Mallen Company;" "Combination Tablets No. 87 Analgesic and Anodyne;" "No. 3 Heart Sedative * * * Glonoine 1-100 gr. * * * Tablets;" "Phenolphthalein Tablets;" "Phenolphthalein Comp. No. 209 Phenolphthalein 1-10;" "Phenacetin 1 Grain;" "No. 200 Rheumatism Lithium Salicylate 3 grs. Colchicine * * * Macroton * * * Phytolaccin * * * tablet;" "Tablets of Strychnine Sulphate * * * 1/60 Gr."

It was alleged in the information that the phenolphthalein tablets were adulterated in that the article was sold under and by a name recognized in the National Formulary and differed from the standard of strength and purity as determined by the test laid down in said formulary at the time of the investigation of the article, in that each tablet contained not more than 0.813 grain of phenolphthalein and 0.1228 grain of calomel, whereas said formulary provided that phenolphthalein tablets contain 1 grain of phenolphthalein and no calomel, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration of the alterative tablets was alleged for the reason that the strength of the article fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain 1/60 grain of arsenicum, whereas each of said tablets contained more arsenicum than so represented, to wit, 1/21 grain of arsenicum, to wit, not less than 0.0491 grain of arsenicum. Adulteration of the remaining tablets was alleged for the reason that the strength and purity of the articles fell below the professed standard and quality under which they were sold in that each of the said combination tablets was sold as containing 3 grains of acetanilide, whereas each of said tablets contained not more than 1.83 grains of acetanilide; each of the said heart sedative tablets was represented to contain 1/100 grain of glonoine, whereas each of said tablets contained not more than 0.00056 grain of glonoine, i. e., approximately 1/1800 grain of glonoine; each of the said phenolphthalein compound tablets was represented to contain 1/10 grain of phenolphthalein, whereas each of said tablets contained not more than 0.0874 grain, i. e., approximately 7/8 of 1/10 grain of phenolphthalein; each of said phenacetin tablets was represented to contain 1 grain of phenacetin, whereas each of said tablets contained not more than 0.7639 grain, i. e., approximately 3/4 grain of phenacetin; each of said rheumatism tablets was represented to contain 3 grains of lithium salicylate, whereas said tablets contained no lithium salicylate; and each of said strychnine sulphate tablets was represented to contain 1/60 grain of strychnine sulphate, whereas each of said tablets contained not more than 0.01235 grain, i. e., approximately 1/80 grain of strychnine sulphate.

Misbranding of the said phenolphthalein tablets was alleged for the reason that the statement, to wit, "Phenolphthalein tablets," borne on the bottle label, was false and misleading in that it represented that the active medicinal agent of the said tablets consisted wholly of phenolphthalein, whereas the active medicinal agent of said tablets did not consist wholly of phenolphthalein but did consist in part of calomel. Misbranding of the combination tablets was alleged for the reason that they contained acetanilide and the label failed to bear a statement of the quantity and proportion of acetanilide contained therein.

Misbranding of the rheumatism tablets was alleged for the reason that the statements "Lithium Salicylate 3 grs. * * * tablet" and "Lithium Salicylate, Colchicine, Macrotin, Phytolaccin," borne on the bottle labels, were false and misleading in that the said statements represented that the said tablets each contained 3 grains of lithium salicylate and were composed of lithium salicylate, colchicine, macrotin, and phytolaccin, whereas the article was not so composed, but was composed of colchicine, macrotin, phytolaccin, and lithium carbonate, and contained no lithium salicylate. Misbranding of the remaining tablets was alleged for the reason that the statements, "Arsenicum 1-60 gr. * * * tablets," with respect to the alterative tablets, "Glonoine 1-100 gr. * * * tablets," with respect to the heart sedative tablets, "Phenolphthalein 1-10 gr. * * * tablets," with respect to the phenolphthalein compound tablets, "Phenacetin 1 Grain," with respect to the phenacetin tablets, and "Tablets of Strychnine Sulphate * * * 1/60 Gr.," with respect to the strychnine sulphate tablets, borne on the respective labels, were false and misleading in that the said statements represented that the articles contained 1/60 grain of arsenicum, 1/100 grain of glonoine, 1/10 grain of phenolphthalein, 1 grain of phenacetin, or 1/60 grain of strychnine sulphate, as the case might be, whereas the said alterative tablets contained more than 1/60 grain of arsenicum; the said heart sedative tablets contained less than 1/100 grain of glonoine, the said phenolphthalein compound tablets contained less than 1/10 grain of phenolphthalein, the said phenacetin tablets contained less than 1 grain of phenacetin, and the said strychnine sulphate tablets contained less than 1/60 grain of strychnine sulphate.

On May 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16390. Misbranding of Nue-Ovo. U. S. v. 496 Cartons of Nue-Ovo. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23411. I. S. No. 0345. S. No. 1414.)

On February 19, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 496 cartons of Nue-Ovo, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Research Laboratories (Inc.) from Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Seattle on or about November 2, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a dark brown aqueous solution of extracts of plant drugs including a laxative drug and a bitter drug, resin, saponin, and caffeine, colored with caramel and preserved with sodium benzoate.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labeling, regarding the curative and therapeutic effects of the said article, (shipping carton) "Treatment for rheumatism," (bottle label) "Treatment for Rheumatism of any form Articular, Muscular, Inflammatory, Lumbago, Rheumatism of the Heart, Neuritis, Arthritis, and others * * * directions * * * In severe cases or to secure results more quickly, * * * Taking the bedtime dose hot often increases the effectiveness. After all pains and symptoms have disappeared take * * * notice. Ordinarily, Nue-Ovo causes a period of 'reaction' to appear about the fourth day of treatment, sometimes sooner in mild cases. This is evident by the possible shifting of the pain to other parts of the body heretofore unaffected, or it may react on the nerves of the stomach. It may also cause added distress. This change of condition may remain for only a few hours, or it may persist for a day or so. In cases of Arthritis the time of reaction is less certain, generally lasting considerably longer and in some cases recurring later in the treatment. As soon as the 'reaction' has passed the pain gradually disappears and soon entirely stops. In taking Nue-Ovo, Watch for the Reaction—It is the turning point. * * * Children can use it with the same beneficial results * * * It builds rich, pure blood, restores the kidneys to normal action, soothes the nerves, and brings about a complete general betterment of run-down conditions. As a general tonic it is unexcelled," (circular) "You and your Rheumatism—being proof of what many of the suffering folk have found through the use of that wonderful treatment * * *. Treatment for Rheumatism * * * Its use is universally followed by a general betterment of

the individual's health. Its specific benefits in the treatment of Neuritis and kindred ailments has a clinical ration of 95% benefit in all cases regardless of age. This ratio is somewhat less in complicated cases and somewhat greater in specific Neuritis cases. In general practice I regard your remedy directly beneficial in all constitutional deficiencies, evidenced by increased strength, better elimination of wastes, increased circulation, favorable demand for more food and greater ability to get satisfying sleep * * * I think your treatment is a 'God Send' to suffering humanity * * * After eight years—Relief * * * Have not finished my first treatment of your medicine yet, but my rheumatism has left me entirely. I had it in my arms and from my hips down to my ankles for eight years. On the second day after taking the medicine I felt quite sick for several hours (this was the period of reaction) and from then on my Rheumatic pains gradually disappeared. An end to 20 years of pain * * * I have suffered from Rheumatism off and on for 20 years. Finally got so bad last October that I was laid up in bed * * * could get around only with the help of crutches. I heard about your treatment from a friend who had got wonderful results from it, and started to take it * * * After four days' treatment I threw my crutches away and was back on my job working in about ten days. Complete relief in six weeks * * * have suffered intense pain while abed with Articular Rheumatism. After starting on Nue-Ovo I soon was rid of the stiffness in my joints and after taking it for six weeks the Rheumatism has left me completely. Pain gone in two days * * * I had been laid up for six weeks with Inflammatory Rheumatism and suffering intense pain. I started taking Nue-Ovo 10:00 A. M. Sunday and by Tuesday night all pain had left me except in one of my wrists. Results came quickly * * * Have taken three and one-half bottles of your Rheumatism medicine and am 100 per cent better than when I began. After three or four days taking your medicine I could hardly tell which knee hurt worse, but sure am feeling good now and think I will be all right by the time I have taken six bottles. * * * Neuritis and Sciatica. * * * My Neuritis was so bad and my nerves were in such a condition that I could hardly bear it. I would feel like screaming every time the pains would attack me. It got so bad that it was almost impossible for me to raise the quilts on the bed and when I awoke in the morning I would have to exercise my arms some time before getting out of bed. I started on your treatment, Nue-Ovo, about two weeks ago and felt a pronounced reaction about twenty-four hours after taking the first dose. This reaction lasted about three days and since that time my pains have disappeared entirely, and I feel like a new woman to-day. * * * could not do any housework for 12 years * * * I have suffered from Rheumatism for so many years, * * * I started to grow steadily worse until I was so bad that I could do practically no work for 12 years. In addition to my Rheumatism I was in a terribly run-down condition, very frequently having sinking spells. * * * Nue-Ovo, * * * I took it * * * and although I did not feel so good under the reaction, which took place in about four days, I soon started to improve and my Rheumatism left me entirely in less than three months. I started to grow stronger right after the reaction and within a month was doing all my housework. My weak spells have practically disappeared and I am taking care of a small apartment house without any help. * * * Rheumatism and Nue-Ovo treatment for the cause of Rheumatism is the only certain way to eradicate the disease. To treat it in any other manner is to only find temporary relief. Any preparation that serves only to relieve the pain does not, as a rule, have any effect on the source of the trouble, and cannot bring about a condition whereby the pain can be completely eliminated. Nue-Ovo, being a specific treatment for Rheumatism, unfailingly attacks at the source of the Rheumatic pains and completely removes the cause. In research work we found that nearly every case of Rheumatism which we had under observation could be traced to infections of some nature: Infected tonsils, abscessed teeth, infection following childbirth, infection following a major operation, venereal infection, or continual exposure to severe weather. These infections are sources of different poisons, and cause the kidneys to become overworked and sluggish. Being in this sub-normal condition they fail in the important process of filtration and these poisons are thrown back into the blood streams. From this toxic condition Uric Acid will arise. The next step is Uric Acid Crystals and then, the excruciating pains of Rheumatism. Removal of the sources of infection is advisable. While their removal may be of great benefit, the

patient is in need of a thorough and effective removal of all traces of Rheumatism. This can only be done by first eliminating the excess Uric Acid and correcting its cause. This important function can best be acquired through the use of Nue-Ovo. Nue-Ovo is so compounded that it is very beneficial to the general health. Its direct action on the kidneys is of vast importance in ridding the system of all poisons. * * * Placing, as it does, the organs of elimination in perfect tone, the building of rich and pure blood ensues. From this comes a vigorous and healthful condition of the body. The tonic value of Nue-Ovo for general toning up of the system is unexcelled. Too much stress on the importance of the reactionary period which appears in using Nue-Ovo cannot be made. This period generally appears in four days from the first dose; it may appear sooner or later, but it invariably comes. Pains may be more acute, they may shift to other parts of the body, particularly to the region of the stomach. Do not let them discourage you, for they are the signs that the Nue-Ovo is working and that the end of your Rheumatic pains is very near. Rheumatism is prevalent in many forms. Herewith are enumerated the most common forms, together with a description of each, and how Nue-Ovo acts on it. * * * Articular Rheumatism. This form of Rheumatism implies an infection of the articulations or joints. Swellings of the joints occur, and in acute cases there may be some fever. The pain varies in intensity and is increased by movement of the affected parts. Unless the progress of the disease is arrested, it may advance to the stage known as Arthritis, deformities will appear, and it will then be more difficult to overcome. Prompt and consistent treatment with Nue-Ovo will, in a short period of time, stop all pain. The swellings will disappear, and in most instances, the joints will regain their normal condition and action. Muscular Rheumatism and Lumbago. In this form the affliction is confined to the muscles, one of the most common symptoms being pains in the muscles of the small of the back and generally being referred to as Lumbago. The other muscles of the body are also often affected. In movements which cause the contraction of the muscles the pain is intense. Muscular Rheumatism or Lumbago yield readily to treatment with Nue-Ovo and complete relief ordinarily occurs within a short time. Arthritis. Arthritis is easily distinguishable. It causes deformities through contractions of the cords in the arms, fingers, knees, and toes and also by leaving hard deposits in and around the joints, causing them to be thrown out of place. The skin on the parts affected usually takes on a shiny appearance. Arthritis is the worse form of, or we might say result of, Rheumatism, is usually of long standing and responds to treatment much more slowly than the other forms. Persistent treatment with Nue-Ovo will stay the progress of the disease, overcome the suffering caused by it and very often will restore action to locked joints by removing the excess Uric Acid, the cause of the pain, from the system. * * * I took the Inflammatory Rheumatism * * * They told me that Arthritis had set in * * * I began taking Nue-Ovo and in three weeks was able to go without a cane and in one more week I went to the harvest fields. If I had not found out about Nue-Ovo I believe I would have been a cripple for the rest of my life. We realize the importance of laying added stress on what Nue-Ovo will accomplish in treating Arthritis, and are therefore giving it more attention in this pamphlet. It is not our intention to be misleading in any sense and deem it best to plainly state that Arthritis sufferers can, in the majority of cases, expect complete relief as we claim. Nue-Ovo Will Do This. However, no matter what state of Arthritis the patient may be experiencing, it has been found that Nue-Ovo completely stopped the pain and positively stopped the progress of the disease. This, we believe, is more than any other preparation can do for sufferers from this distressful ailment, and is one of the logical reasons why this wonderful preparation is accorded the recognition it so justly deserves. * * * As a treatment for Rheumatism it has accomplished satisfactory results * * * health-giving ingredients. * * * is recommended for the treatment of any form of Rheumatism: Arthritis, Neuritis, Sciatic, Articular, Muscular, Inflammatory, Rheumatism of the Heart, or Lumbago, etc. The statements we make regarding the effects of Nue-Ovo treatment for Rheumatism are made principally from knowledge gained by our careful observations of over 3,000 cases in which it has been used in the past six years. Therefore, we speak from experience, not theory, and sufferers from Rheumatic pains can know that the information contained in this pamphlet is especially prepared for their benefit; that they, too, can enjoy the relief that has been proved to be

secured through the use of Nue-Ovo. The Success of Nue-Ovo is 'one of the achievements of the modern age. Many of the most obstinate cases, apparently hopeless, have responded to its curative qualities. The results obtained, in many cases, seemed to be what might be called the impossible. But they have been accomplished, and there is a great satisfaction to the makers in knowing that they are able to produce such a wonderful preparation. * * * It acts directly on the kidneys, blood and nerves and removes the cause of pain itself. The direct cause of Rheumatic pains is the failure of the kidneys while in a subnormal condition, to function properly; that is, they do not eliminate Uric Acid, and other body poisons, from the blood stream by their natural process of filtration. When this Uric Acid becomes excessive the blood stream grows sluggish and in time the Uric Acid forms into what are called Uric Acid Crystals. These lodge in the joints, muscles, tissues, and along the nerves of the body. The irritations arising therefrom are the cause of Rheumatic pains. As Nue-Ovo is a treatment for Uric Acid it removes the cause of Rheumatic pains. This is why Nue-Ovo is recognized as the superior remedy for this ailment. It quickly restores the kidneys to normal action, removes excess Uric Acid, dissolves the Uric Acid Crystals, and removes them from their lodgements. Pain must vanish. It is invariable in its action, soothes the nerves, builds pure blood, regulates the organs of elimination, and leaves the entire physical system in a perfect, healthful tone. The Re-Action. The action of Nue-Ovo is so distinct that it can be felt. In nearly all cases this is manifest by what is termed 'The Re-Action,' which the user experiences within four days after taking the first dose. However, in Arthritis it may occur at a later period. This Reaction is a most positive indication that Nue-Ovo is starting in to do its work and should be looked forward to. Neuritis. It is those troublesome pains which occur in the shoulders, arms, lower parts of the legs, and the feet—nerve pains it is sometimes called. In reality it is Rheumatism of the nerves * * * or nerves so affected. It causes nervousness, sleeplessness, depressions, and even troublesome dreams. Its accompanying pains are sometimes dull and of long duration, and again they are sharp and appear with irregularity. Neuritis quickly responds to treatment with Nue-Ovo. The serious consequences which inevitably follow, if not checked, can be entirely avoided if treatment is resorted to when the pains first appear. The famous period of reaction that appears in all cases where Nue-Ovo is used works just the same in treating Neuritis, and remember when this appears you can know that the Uric Acid Crystals have begun to move and that your Neuritis pains are about to be completely eliminated. Inflammatory Rheumatism is the result of the Uric Acid Crystals being spread through the system. This condition causes inflammation in the joints and throughout the body and swellings in most cases. It is very painful. Fever usually accompanies it. In treating Inflammatory Rheumatism with Nue-Ovo the response is favorably evident in a very short time, and as soon as the period of reaction is over the pains begin to disappear. Inflammatory Rheumatism is quick to yield to treatment with Nue-Ovo. After all pain has disappeared continue treatment for about sixty days in order that the trouble may be completely removed. Sciatic Rheumatism is a form of Rheumatism that is similar to Neuritis and is so called when the Uric Acid attacks the Sciatic nerve. The accompanying pains are very severe and generally extend from the hip to the foot. Sufferers from Sciatic Rheumatism will welcome the relief that inevitably follows directly in the wake of treatment with Nue-Ovo. For the fact that Nue-Ovo is not an allayer of pain, results cannot be expected from the first dose, but as soon as it has sufficient time to begin its action on the Uric Acid Crystals and the period of reaction is gone through, the pain gradually disappears. If treatment will be consistently followed the cause will be completely eliminated. Rheumatism of the Heart. This, in a large number of cases, follows Inflammatory Rheumatism. It is caused by the presence of Uric Acid Crystals in the tissues of the heart, or by the extra amount of work thrown upon it due to the toxic condition of the blood which contains an excess amount of Uric Acid and poisons when a Rheumatic condition is prevalent. It responds quickly to treatment with Nue-Ovo * * *. Nue-Ovo is not a treatment to allay pain. Instead it attacks the cause of pain. This is why it is so successful in the treatment of Rheumatism. Remove the cause and pain cannot return," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 29, 1929, the Research Laboratories (Inc.), claimant, having admitted certain of the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16391. Misbranding of Smi-Lax. U. S. v. 48 Bottles of Smi-Lax. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23552. I. S. No. 05699. S. No. 1782.)

On March 27, 1929, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 48 bottles of Smi-Lax, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Kannapolis Drug Co., from Kannapolis, N. C., November 8, 1928, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it was an aqueous solution containing alcohol (17.7 per cent), ammonium salicylate, methenamine, potassium salts, extract of a laxative plant drug, and a trace of alkaloid.

It was alleged in the libel that the article was misbranded in that the label on the bottle bore the statement, "Flu and Grippe Remedy * * * in the treatment of * * * Flu and LaGrippe," and the cartons containing the said bottles bore the statement or label, "Flu and Grippe Remedy * * * for * * * Flu-Grippe," which statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 30, 1929, no claimant having appeared for the property, judgment of combination and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16392. Misbranding of Jarabe Denechaud. U. S. v. 54 Dozen Bottles, et al., of Jarabe Denechaud. Decrees of condemnation and forfeiture entered. Product released under bond. (F. & D. Nos. 22863, 22864, 22865. I. S. Nos. 20744-x, 20745-x, 20746-x. S. No. 901, 914, 915.)

On or about July 11, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 81¾ dozen bottles of Jarabe Denechaud at San Juan, P. R., alleging that the article had been shipped by Brewer & Co., Worcester, Mass., in various consignments on or about April 15 and April 27, 1927, and March 16 and April 27, 1928, and transported from the State of Massachusetts into Porto Rico, and that it was being offered for sale and sold in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of pine tar, menthol, chloroform, material derived from cod liver oil, sugar, alcohol, and water.

It was alleged in the libels that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Wrapper of portion of product, in Spanish) "Bronchial and Laryngeal affections, chronic catarrhs and whooping cough. Affections of the respiratory organs and pulmonary tuberculosis. * * * prescribed by specialists for the treatment of affections of the bronchi, lungs, cough, and catarrhal affections;" (on carton and bottle label of portion of product, in Spanish) "Bronchitis and pulmonary affections, whooping cough and asthmatic tendencies. * * * Syrup Denechaud is an anti-tubercular preventive, pulmonary reconstituent and sedative of broncho-laryngeal affections."

On November 17, 1928, A. Rodriguez, San Juan, P. R., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by

the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$700, conditioned in part that it should not be sold or otherwise disposed of until properly labeled as required by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16393. Misbranding of Frazier's distemper remedy. U. S. v. 7½ dozen, et al., bottles of Frazier's Distemper Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23070, 23071. I. S. Nos. 01510, 02022, 02023. S. Nos. 1160, 1163.)

On September 13 and September 14, 1928, respectively, the United States attorneys for the Districts of Southern Ohio and Eastern Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said districts libels praying seizure and condemnation of 13½ small bottles and 5½ large bottles of Frazier's distemper remedy, in part at Cincinnati, Ohio, and in part at St. Louis, Mo., alleging that the article had been shipped by the Binkley Medical Co., from Nappanee, Ind., in part on or about July 6, 1928, and in part on or about July 17, 1928, and transported from the State of Indiana into the States of Ohio and Missouri, respectively, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of turpentine oil and tar.

It was alleged in substance in the libels that the article was misbranded in that the following statements, borne on the labels, regarding the curative and therapeutic effects of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton and bottle label) "Save your Horses * * * Frazier's Distemper Remedy A Safe and Reliable Remedy for the Treatment among Horses of Distemper, Pink-Eye, Influenza, Catarrhal-Fever, Shipping-Fever, Coughs and Colds, and other diseases of a similar nature affecting the Nose and Throat of Horses Also Sheep and Dogs * * * For Distemper, Influenza, Pink-Eye, Catarrhal-Fever and Epizootic * * * Distemper Remedy * * * Is absolutely safe for Brood Mares, Stallions, and Young Colts. * * * Shipping Fever, Bronchitis, Heaves, Coughs, Colds and all Nose and Throat diseases, same dose as for Distemper. Preventive—10 to 15 drops on horse's tongue, and place the same amount in trough. Worms and Kidney Trouble—10 to 20 drops, 3 times a day after feeding, place about 5 drops in ground feed. Distemper in Sheep and Dogs—10 to 20 drops, three times a day;" (booklet) "Frazier's Distemper Remedy the Only Rational Treatment—Surest and Best for Contagious Diseases * * * Save your Horses * * * Frazier's Distemper Remedy. A safe and reliable remedy for the treatment among horses of Influenza, Catarrhal Fever, Shipping Fever, Coughs and Colds, and other diseases of a similar nature affecting the Nose and Throat of Horses Also Sheep and Dogs. * * * this booklet * * * is arranged so that the common diseases may be known by their signs and symptoms and the Remedy applied quickly and effectively. The most stubborn diseases, that cannot be reached by the old system of doctoring horses, are forced to yield to Frazier's Distemper Remedy * * * 'Frazier's' is absolutely safe and perfectly reliable and quick in its action. Frazier's Distemper Remedy has been used with remarkable success for forty years. Its results are Guaranteed * * * Distemper, Influenza, etc. * * * Distemper or Strangles * * * It can be prevented, checked, and promptly relieved by the use of 'Frazier's.' * * * In nursing all cases of Distemper, Influenza, Pink Eye, and Epizootic * * * As soon as possible give one teaspoonful of 'Frazier's' * * * In the early stage, one to six doses of 'Frazier's' will check its progress and restore the horse to a healthy condition, without formation of a tumor under the jaw. * * * Cough—Chronic * * * Worms * * * Give one teaspoonful 'Frazier's' after feeding each evening, for one week, stop two days and continue as before * * * Influenza * * * Treatment—Begin as early as possible with 'Frazier's' Distemper Remedy * * * Frazier's Distemper Remedy is a good tonic to be given twice a day for four or five days in case of loss of appetite. * * * Care in Nursing Distemper and Influenza * * * The earlier the treatment is begun the more easily does the medicine take effect and the more quickly will the horse be ready for use. Prevention—Ten to fifteen drops placed on the horse's tongue and the same amount in the trough with feed. Treat all horses in stable where there is one case of contagious or infectious disease. It should be given upon the first

appearance of Distemper, Influenza, and all Catarrhal diseases in the community * * * Your Frazier's Distemper Remedy is great, it knocks the distemper out of a colt in two to four days. Pink Eye and Epizootic * * * Treatment—Same as for Distemper. A few years ago, when nearly every horse in the country had this disease, hundreds were either not treated at all or improperly treated, and consequently many were left in a bad condition, which they did not outgrow for months, and others died from want of proper treatment. Wherever 'Frazier's' was used the disease was entirely Cured or Prevented. LaGrippe and Coughs among People. 'Frazier's' has been used successfully in the treatment of Colds, Coughs, Asthma, and LaGrippe among the human race. We have hundreds of testimonials from people who have used this remedy with satisfactory results, 2 to 8 drops placed on sugar is the dose for persons, depending on age. * * * Do you know that you have the best Cough Remedy for human kind ever known? It also will cure LaGrippe if taken in time. I have given it to my children from the baby up to the oldest child. I have cured LaGrippe with myself in three doses, by taking from 5 to 7 drops once a day for three days. I often thought I would write you my experience with this remedy, but neglected it all the while. I also obtained relief for Catarrh by using 'Frazier's.' * * * Distemper in Dogs * * * give at once 15 to 20 drops of Frazier's Distemper Remedy morning and evening after meals, give animals exposed the same amount, 2 to 6 drops for puppies. The large breed of dogs require the larger dose, as the case may require; the dose may be diminished in size as well as in number, * * * Use a small wooden paddle to place the remedy on the tongue. Fowls stricken with cholera * * * Since prevention is much easier than cure in this as in others, no better remedy may be found for this purpose than Frazier's Distemper Remedy. Thousands testify to its great value. Treatment—As a preventive it should be given in bran mash, proportioned at one teaspoonful to one dozen fowls once a day. In aggravated cases where the fowl will not eat four or five drops may be placed upon the fowl's tongue morning and evening. Sheep Distemper or Snuffles * * * Coughs, Colds, and Catarrh * * * Prevention is much more satisfactory than cure. Give the entire flock, during the winter and spring months, one or two doses each week. 'Frazier's' will pay you, as it has hundreds of sheep owners. * * * Why We Guarantee Frazier's Distemper Remedy * * * When we started to put Frazier's Distemper Remedy on the market * * * We made it so good that many who bought it gladly recommended it to others. * * * I have used several distemper cures, but I like your 'Frazier's' the best. * * * Frazier's Distemper Remedy has proven so satisfactory that I keep a supply in my stable for instant use. * * * Have used Frazier's Distemper Remedy with great success in treating cases of distemper, coughs, and colds. * * * I have 50 head of horses in my care, twelve of them took Distemper in its worst form, in one week after using 'Frazier's' all of them were well and ready for driving. I prevented the other 38 head from taking the disease by its use. * * * I have used 'Frazier's' with good results. It is certainly a great remedy. * * * I handle 'Frazier's' and have every confidence in the efficiency of the remedy. It is the only real remedy that I have ever known for distemper, also a certain preventive as well. * * * The use of your Frazier's Distemper Remedy has stood every test that I have placed upon it to cure or prevent Distemper, Pink Eye, Shipping Fever, etc. * * * I have used your Frazier's Distemper Remedy on a mare and colt that had the Pink-Eye, cured both cases within a few days, bred the mare back. I do not want to get out of the remedy. * * * My father used Frazier's Distemper Remedy * * * I have been dealing in horses * * * and I never saw a case it did not cure, and would advise any and all of my friends to use it. * * * Just a few days ago he took the distemper before I knew that he had been exposed and was running at one nostril and before the night the other nostril. It was then the Good Old Frazier's Distemper Remedy was given a fair trial, and it beat all remedies I ever tried. In three days or less time he was well. * * * Frazier's Distemper Remedy * * * It prevented my horses from having the distemper, when they were running with other horses about dead with it. I will recommend it to any one as a great remedy for the Distemper, Coughs, and Colds among horses. * * * Some months ago our Mr. Geo. Moore tried a small size bottle of your Frazier's Distemper Remedy and found the same satisfactory. * * * This Unparalleled Success Suggests a Few Facts Which Have Made Such Results Possible.

Frazier's Distemper Remedy is a remedy of proved merit. It has been used with remarkable success for a quarter of a century. * * * I am well pleased with 'Frazier's.' Have given it a thorough trial on poultry with Cholera, hogs with Influenza, mule and a calf with Distemper, and find it a cure for all three of the above diseases. * * * I want to let you know what 'Frazier's' did for my three head of horses with Distemper. One was a three months' old colt. I went to my druggist for a remedy. He said: 'Try Frazier's; it is guaranteed, and the only one that I can back up.' I bought one large bottle. It was no time until they were entirely recovered. I never thought the colt could recover. I keep a bottle constantly on hand. It sure does the work. * * * Frazier's. We find it the best remedy we ever used for Distemper, Coughs, and Cold;" (carton for one dozen boxes in portion of product) "Distemper Remedy for Horses. A safe and Reliable Remedy for the treatment among Horses of Distemper, Pink-Eye, Influenza, Catarrhal-Fever, Coughs and Colds, and other Diseases of a similar nature affecting the Nose and Throat."

On October 31 and November 26, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16394. Misbranding of Donnell's Indian vegetable oil. U. S. v. 37 Bottles of Donnell's Indian Vegetable Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23406. I. S. No. 05811. S. No. 1529.)

On February 14, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 37 bottles of Donnell's Indian vegetable oil, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by C. K. Donnell, M. D., Lewiston, Me., and transported from the State of Maine into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of cottonseed oil, containing volatile matter including chloroform (22.4 minims per fluid ounce), oil of peppermint, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle) "Dr. C. K. Donnell's Indian Vegetable Oil * * * is unexcelled for * * * Boils, Piles * * * Earache, Toothache, Canker, and all lameness of joints. Taken internally in doses of $\frac{1}{4}$ to $\frac{1}{2}$ teaspoonful on sugar as often as needed will relieve Croup, Colds, Coughs, Colic, Cramps, Pleurisy, Neuralgia, Diphtheria, Pneumonia," (carton) "Dr. C. K. Donnell's Indian Vegetable Oil A General Family Remedy For Rheumatism * * * Cramps of Limbs, Sore Throat, * * * Sore and Congested Lungs * * * Relieves and Prevents Croup, Pneumonia, Tonsilitis and Diphtheria. Also Inflammation in any part of Body," (circular) "Treatment of Influenza * * * And it is not the Influenza itself that actually kills, but the after effects which are lung complications, including Bronchitis, Pleurisy, Bronchopneumonia and Lobar-pneumonia and a tendency to heart failure. Symptoms of Influenza Generally the start is sudden and like a severe cold with the following well defined symptoms: Delirium, unconsciousness, and extreme tremor, severe pains in front part of the head, aching muscles, high fever, prostration. General Treatment Plenty of fresh air should be given patient during treatment and care should be taken to keep patient well covered with warm blankets and hot water bottles. The patient should be given a good sweat at the start but great care should be taken that the patient should not take cold after sweating. Diet should generally consist mainly of fluids such as milk, beeftea, clear soups, egg flips, and custard. Beeftea is especially valuable because of its stimulating properties. The drinking of large quantities of water, barley water, and lemon water should be encouraged as elimination is thereby promoted. Absolute Rest during the acute stage is vitally important. In the severer cases where there is collapse, labored breathing and rapid pulse is produced by any degree of movement. The patient should be disturbed as little as possible. Medical Treatment. Call Your Local Doctor at Once and in the meantime, which may be from one to several hours * * * give the patient

twenty drops Vegetable Oil on sugar, internally, then heat oil and massage the throat, chest, and back. After this is done, apply a layer of absorbent cotton on the chest, from the chin down well over the lung area. This cotton should be saturated with the hot oil and a second piece of dry cotton placed over the saturated layer, to hold in the heat. The same process should be used on the patient's back. (When properly applied, it will require about two bottles of the oil to care for the chest and back.) If the patient is not showing marked improvement in four hours, repeat the treatment. While taking this treatment, give the patient as much hot lemonade as possible. The above treatment proved very successful in the epidemic of 1917-18, when I treated hundreds of cases in these cities with phenomenal results, losing less than one per cent where I had the opportunity of treating them first * * * Buy an extra bottle or two now as Sufferers were unable to obtain this Oil during the last epidemic. * * * Always Heat Oil For Best Results Except When Taken Internally. * * * Abscesses, acne, antiseptic boils, * * * breast, inflammation of, bronchitis, bronchial affections, * * * carbuncles, catarrh, chest, pain in, * * * colic, cough, cramps, croup, * * * diphtheria, ear diseases, eczema, eruptions, facial neuralgia, * * * glandular enlargements, hoarseness, * * * influenza, * * * itching skin, * * * laryngitis, lung colds, lumbago, mumps, nasal diseases, * * * neuritis, piles, pleurisy, pneumonia, rheumatic affections, * * * sciatica, skin affections, skin ulcers, snuffles, sore throat, * * * tonsillitis, * * * wens, whooping cough, wounds. (Testimonials) It will subdue the most stubborn cough, the worst case of croup, and if used in time will prevent pneumonia and bronchitis. * * * After a few applications of this hot Oil, his cough was nearly gone. If my boy has the croup * * * I use it in the same way and it gives almost instant relief. * * * a friend that suffered with terrible earache, ulcers gathered and broke in the head, one after another; she dropped the Oil in the ear as warm as she could stand it, frequently until she was relieved, and she has never had one since. Indian Vegetable Oil has been of great benefit to me whenever I have a cough * * * It has always relieved me at once * * * Indian Vegetable Oil * * * a sure cure for cough," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was, in whole or in part, composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On March 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16395. Adulteration and misbranding of morphia and atropine tablets, chloramine T tablets, potassium bromide tablets, and calcium lactate tablets. U. S. v. The Smith-Dorsey Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 22592. I. S. Nos. 2883-x, 2884-x, 2885-x, 2907-x.)

On March 20, 1929, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Smith-Dorsey Co., a corporation, Lincoln, Nebr., alleging shipment by said company, in violation of the food and drugs act, in part on or about December 20, 1927, and in part on or about January 10, 1928, from the State of Nebraska into the State of Missouri, of quantities of morphia and atropine tablets, chloramine T tablets, potassium bromide tablets, and calcium lactate tablets, which were adulterated and misbranded. The articles were labeled in part, variously: "Morphia 1-4 gr. Atropine 1-150 gr. Smith-Dorsey Co. Lincoln, Neb.;" "Tablet Chloramine T 4.6 Grains Dakins Antiseptic;" "Tablets Potassium Bromide 5 Grains;" "Tablet Calcium Lactate 5 Grains;"

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of the said morphia and atropine tablets was represented to contain 1/4 grain of morphia, whereas said tablets contained no morphia; each of the said chloramine T tablets was represented

to contain 4.6 grains of chloramine T, whereas each of said tablets contained less than so represented, to wit, not more than 0.0267 grain, i. e., approximately 1/40 grain of chloramine T; each of said potassium bromide tablets was represented to contain 5 grains of potassium bromide, whereas each of said tablets contained more than so represented, to wit, not less than 5.679 grains, i. e., 5 2/3 grains of potassium bromide; each of said calcium lactate tablets was represented to contain 5 grains of calcium lactate, whereas each of said tablets contained less than so represented, to wit, not more than 4.095 grains, i. e., 4 1/10 grains of calcium lactate.

Misbranding was alleged for the reason that the statements, to wit, "Tablets, Morphia 1-4 gr.," with respect to the morphia and atropine tablets, "Tablet Chloramine T 4.6 Grains," with respect to the chloramine T tablets, "Tablets Potassium Bromide, 5 Grains," with respect to the potassium bromide tablets, and "Tablet, Calcium Lactate, 5 Grains," with respect to the calcium lactate tablets, were false and misleading in that they represented that the said tablets each contained 1/4 grain of morphia, 4.6 grains of chloramine T, 5 grains of potassium bromide, or 5 grains of calcium lactate, as the case might be; whereas the said morphia and atropine tablets contained no morphia, the said chloramine T tablets contained less than 4.6 grains of chloramine T, the said potassium bromide tablets contained more than 5 grains of potassium bromide, and the said calcium lactate tablets contained less than 5 grains of calcium lactate. Misbranding of the said morphia and atropine tablets was alleged for the further reason that they contained morphine sulphate and the package failed to bear a statement on the label of the quantity and proportion of morphine sulphate contained therein.

On March 23, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16396. Misbranding of Asper-Lax. U. S. v. 11 Dozen Packages of Asperlax. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23403. I. S. No. 03097. S. No. 1565.)

On February 13, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Asper-Lax, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Asper-Lax (Inc.), New York, N. Y., on or about January 25, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained 4.3 grains of aspirin and 0.48 grain of phenolphthalein per tablet, colored with a pink dye.

It was alleged in the libel that the article was misbranded in that the following statements were false and misleading: (Tin container) "The Aspirin Laxative;" (circular) "The Laxative Aspirin. * * * The New Safe Aspirin * * * Asper-Lax the New Aspirin * * * Asper-Lax is aspirin in laxative form * * * and is entirely harmless * * * Asper-Lax may be safely administered to children." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (tin container) "For the relief of * * * Rheumatism, Neuralgia, Sciatica, Lumbago, Influenza, Lagrippe," (circular) "Laxative Aspirin * * * the treatment of many serious and distressing ailments * * * Asper-Lax * * * while giving quick pain relief * * * remove the cause of the trouble by providing a gentle stimulant for liver action * * * when the digestive tract becomes clogged * * * la grippe and influenza are easily contracted by a system so weakened. Asper-Lax is aspirin in laxative form * * * will always be found helpful even when there is no apparent need for a laxative. * * * For * * * La Grippe and Influenza * * * For Toothache * * * The laxative aids nature in eliminating poisons discharged from the abscess. * * * Asper-Lax may be used * * * in all cases as you have been accustomed to take ordinary aspirin. You will find Asper-Lax more effective and the relief more lasting. * * * For Periodic Pains and Congestion: Many women have found Asper-Lax a great aid and comfort at these times. You will be amazed at how quickly and completely relief comes," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed,

and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 12, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16397. Misbranding of laxative Cold Fix tablets. U. S. v. 28 Packages of Laxative Cold Fix Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23417. I. S. No. 03593. S. No. 1569.)

On February 18, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 28 packages of laxative Cold Fix tablets, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Corn Fix Co., from Newark, N. J., on or about August 28, 1928, and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1.00 grain per tablet), cinchonine sulphate (0.134 grain per tablet), aloin, and camphor.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, borne on the carton and in the accompanying circular, "La Grippe * * * For * * * La Grippe * * * Loss of Appetite, etc.," (circular) "Colds with constipation and headache * * * when neglected they often lead to much more serious ailments, a few of which may be Tuberculosis, Pneumonia, serious nervous disorders, kidney trouble, etc. * * * Highly Recommended for * * * Loss of Appetite, Etc. It is not necessary for you to wait until you are suffering with * * * La Grippe * * * but they are recommended very highly for * * * loss of Appetite, etc. Try them for these troubles," were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On March 9, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16398. Misbranding of Mistura creosote compound. U. S. v. 4 Dozen Packages of Mistura Creosote Compound. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 23388. I. S. No. 03096. S. No. 1557.)

On or about February 12, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 dozen packages of Mistura creosote compound, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Charles Killgore, New York, N. Y., on or about January 14, 1929, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, alcohol (27.7 per cent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, (label) "For the treatment of phthisis. It is especially valuable in bronchitis, influenza, and chronic coughs. * * * For

persistent coughs in Bronchitis and Catarrhal conditions caused by the germ laden mucous from the nasal passages running down in the throat and producing a severe coughing spell especially at night when lying down. Put two teaspoonfuls of the Mistura Creosote Comp. and ten tablespoonfuls of water in a bottle and mix well. One tablespoonful of this mixture swallowed slowly when a coughing spell comes on will give prompt relief," (carton) "For the treatment of Phthisis. It is especially valuable in Bronchitis, Influenza, and Chronic Coughs * * * in the treatment of Phthisis and all affections of the Bronchial Tubes * * * defertilizes the lung tissue and renders it an unfavorable soil for the growth and development of micro-organism. * * * Digestive processes are strengthened * * * In Chronic Coughs and Pleurisy, pains following Grip, it has been found valuable," in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 23, 1929, by consent of the claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16399. Adulteration and misbranding of atropine sulphate tablets, acetphenetidin tablets, quinine sulphate tablets, cocaine hydrochloride tablets, nitroglycerin tablets, phenylcinchoninic acid tablets, tincture cinchona compound, tincture of aconite, calomel and phenolphthalein tablets, arsenous acid tablets, and tablets Blaud modified, and adulteration of pituitary extract. U. S. v. The Pharmacal Products Co. (Inc.). Plea of nolo contendere. Fine, \$60 and costs. (F. & D. No. 22568. I. S. Nos. 5926-x, 5927-x, 5928-x, 5933-x, 5936-x, 13678-x, 13680-x, 13682-x, 13684-x, 13688-x, 13690-x, 13825-x, 16027-x, 16028-x.)

On July 10, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pharmacal Products Co. (Inc.), Easton, Md., alleging shipment by said company, in violation of the food and drugs act, on or about September 10, 1926, from the State of Maryland into the State of Pennsylvania, of a quantity of pituitary extract which was adulterated, and of quantities of nitroglycerin tablets, quinine sulphate tablets, phenylcinchoninic acid tablets, tincture cinchona compound, and tincture of aconite, which were adulterated and misbranded; on or about November 25, 1926, from the State of Maryland into the State of New Jersey, of quantities of calomel and phenolphthalein tablets, arsenous acid tablets, and Blaud modified tablets; and on or about January 26, 1927, from the State of Maryland into the State of New York, of quantities of atropine sulphate tablets, acetphenetidin tablets, quinine sulphate tablets, cocaine hydrochloride tablets, and nitroglycerin tablets, which were adulterated and misbranded. The articles were labeled in part, variously: "Atropine Sulphate 1-100 Gr. Pharmacal Products Co. Manufacturing Pharmacists Easton, Maryland;" "Compressed Tablets Acetphenetidin 1-Gr.;" "Compressed Tablets * * * Quinine Sulphate * * * 2 Grains;" "Moulded Tablets Cocaine Hydrochloride 1.14 gr. each;" "Soluble Hypodermic Tablets Nitroglycerin 1/50 Grain;" "Compressed Tablets Nitroglycerine 1/100 Grain;" "Compressed Tablets * * * Quinine Sulphate 5 Grains;" "Compressed Tablets Phenylcinchoninic Acid 7½ Grs.;" "Tincture Cinchona Compound U. S. P. * * * 100 mls contain from 0.4 gm., to 0.5 gm., Alkaloids of Cinchona;" "Ampoules Pituitary Extract (Obstetrical);" "Tincture of Aconite Tinctura Aconiti U. S. P.;" "Compressed Tablets Calomel and Phenolphthalein Calomel 1-10 gr., Phenolphthalein 1-10 gr.;" "Compressed Tablets Arsenous Acid 1-30 Grain;" "Compressed Tablets No. 1140 Blaud Modified * * * Arsenous Acid 1-40 gr."

Adulteration of the said tablets was alleged in substance in the information, for the reason that their strength and purity fell below the professed standard and quality under which they were sold in that each of the said atropine sulphate tablets was represented to contain 1/100 grain of atropine sulphate, whereas each of said tablets contained less than so represented, to wit, not more than 0.00685 grain, i. e., 1/150 grain of atropine sulphate; each

of said acetphenetidin tablets was represented to contain 1 grain of acetphenetidin, whereas each of said tablets contained less than so represented, to wit, not more than .872 grain, i. e., less than 9/10 grain of acetphenetidin; each of said quinine sulphate tablets was represented to contain 2 grains or 5 grains of quinine sulphate, as the case might be, whereas each of said tablets contained less quinine sulphate than so represented, to wit, in the former, not more than 0.754 grain, i. e., approximately $\frac{3}{4}$ grain of quinine sulphate, and in the latter not more than 3.65 grains, i. e., $3\frac{3}{8}$ grains of quinine sulphate; each of said cocaine hydrochloride tablets was represented to contain 1.14 grains of cocaine hydrochloride, whereas each of said tablets contained less than so represented, to wit, not more than 0.933 grain, i. e., approximately 9/10 grain of cocaine hydrochloride; each of said nitroglycerin tablets was represented to contain 1/50 grain of nitroglycerin or 1/100 grain of nitroglycerin, as the case might be, whereas each of said tablets contained less than so represented, to wit, in the former, not more than 0.0130 grain, i. e., approximately 1/77 grain of nitroglycerin, and in the latter, not more than 0.00622 grain, i. e., approximately 1/160 grain of nitroglycerin; each of said phenylcinchoninic acid tablets was represented to contain $7\frac{1}{2}$ grains of phenylcinchoninic acid, whereas each of said tablets contained less than so represented, to wit, not more than 6.558 grains, i. e., 6 $\frac{3}{8}$ grains of phenylcinchoninic acid; each of said calomel and phenolphthalein tablets was represented to contain 1/10 grain of calomel and 1/10 grain of phenolphthalein, whereas each of said tablets contained less of said products than so represented, to wit, not more than 0.0779 grain, i. e., approximately 1/13 grain of calomel, and not more than 0.086 grain, i. e., approximately 1/12 grain of phenolphthalein; each of said arsenous acid tablets was represented to contain 1/30 grain of arsenous acid, whereas each of said tablets contained less than so represented, to wit, not more than 0.0257 grain, i. e., 1/39 grain of arsenous acid; and each of said Bland modified tablets was represented to contain 1/40 grain of arsenous acid, whereas each of said tablets contained less than so represented, to wit, not more than 0.0201 grain, i. e., approximately 1/50 grain of arsenous acid. Adulteration of the tincture cinchona compound, the pituitary extract, and the tincture of aconite, was alleged for the reason that the said articles were sold under and by names recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopœia official at the time of investigation of the articles, in that the said tincture cinchona compound yielded less than 0.4 gram of the alkaloids of cinchona per 100 mils, to wit, not more than 0.345 gram of the alkaloids of cinchona per 100 mils, whereas said pharmacopœia provided that compound tincture cinchona yield not less than 0.4 gram of the alkaloids of cinchona per 100 mils; 1 cubic centimeter of the pituitary extract had an activity upon the isolated uterus of the virgin guinea pig corresponding to more than 120 per cent, to wit, not less than 150 per cent of that produced by 0.005 gram of standard powdered pituitary, whereas said pharmacopœia provided that 1 cubic centimeter of solution of pituitary, that is to say, pituitary extract, should have an activity upon the isolated uterus of the virgin guinea pig corresponding to not more than 120 per cent of that produced by 0.005 gram of standard powdered pituitary; and the said tincture of aconite required more than 0.00045 cubic centimeters for each gram of body weight of guinea pig, when administered subcutaneously as a minimum lethal dose, to wit, 0.00160 cubic centimeters for each gram body weight of guinea pig, whereas said pharmacopœia provided that tincture of aconite, when administered subcutaneously to guinea pigs as a minimum lethal dose should require not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig; and the standard of strength, quality, and purity of the said articles was not declared on the containers thereof.

Misbranding of the said tablets was alleged for the reason that the statements, to wit, "Atropine Sulphate 1-100 Gr.," "Tablets Acetphenetidin 1-Gr.," "Tablets * * * Quinine Sulphate * * * 2 Grains," "Tablets Cocaine Hydrochloride 1.14 gr. each," "Tablets Nitroglycerin 1/50 Grain," "Tablets Nitroglycerin 1/100 Grain," "Tablets * * * Quinine Sulphate 5 Grains," "Tablets Phenylcinchoninic Acid $7\frac{1}{2}$ Grs.," "Tablets Calomel 1-10 gr. Phenolphthalein 1-10 gr.," "Tablets Arsenous Acid 1-30 Grain," "Tablets * * * Arsenous Acid 1-40 gr.," borne on the labels of the respective products, were false and misleading in that the said statements represented that each of said tablets contained the amount of said product

declared on the label thereof, whereas the said tablets in each instance, contained less of the said product than declared on the label. Misbranding was alleged with respect to the said tincture cinchona compound and the tincture of aconite for the reason that the statements, to wit, "Tincture Cinchona Compound U. S. P." and "100 mls. contains from 0.4 gm., to 0.5 gm., Alkaloids of Cinchona," with respect to the former and the statements, "Tincture of Aconite Tincture Aconiti U. S. P.," with respect to the latter, borne on the labels, were false and misleading in that the said statements represented that the articles conformed to the tests laid down in the United States Pharmacopoeia, and that the former contained no less than 0.4 gram of alkaloids of cinchona in 100 mls, whereas the said articles did not conform to the tests laid down in the said pharmacopoeia, and the said tincture cinchona compound contained less than 0.4 gram of the alkaloids of cinchona in 100 mls.

On February 14, 1929, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$60 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16400. Misbranding of Ampco laxative cold tablets. U. S. v. 3 Dozen Packages of Ampco Laxative Cold Tablets. Default decree of condemnation and destruction entered. (F. & D. No. 23854. I. S. No. 114269. S. No. 1745.)

On April 6, 1929, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen packages of Ampco laxative cold tablets, remaining in the original unbroken packages at Claremont, N. H., alleging that the article was shipped by the American Drug Sales Co., from Boston, Mass., on or about November 22, 1928, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained acetanilide (1 grain per tablet), capsicum, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the packages of the said article failed to bear a statement on the labels of the quantity or proportion of acetanilide contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of said article, borne on the labels, (carton) "Will relieve LaGrippe * * * They arouse the liver and secretions, * * * This * * * is * * * followed by * * * relief from * * * LaGrippe * * * for Coughs * * * LaGrippe * * * Malarial Affections, etc.," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 24, 1929, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16376-16400

	N. J. No.		N. J. No.
Acetphenetidin tablets:		Fluin:	
Pharmaceutical Products Co-----	16399	Fluin Co-----	16382
Aconite, tincture of:		Frazier's distemper remedy:	
Pharmaceutical Products Co-----	16399	Binkley Medical Co-----	16393
Alterative tablets:		Fulton's Compound, RX 1 and RX 2:	
Mallen, P. H., Co-----	16389	Fulton, J. J., Co----- ¹	16387
Ampco laxative cold tablets:		Good Samaritan ointment:	
American Drug Sales Co-----	16400	Good Samaritan Ointment Co-----	16386
Arsenous acid tablets:		Heart sedative tablets:	
Pharmaceutical Products Co-----	16399	Mallen, P. H., Co-----	16389
Asperlax:		Hi-Grade Kold Breakers:	
Asper-Lax (Inc.)-----	16396	Continental Drug Co-----	16383
Atropine sulphate tablets:		Indian vegetable oil:	
Pharmaceutical Products Co-----	16399	Donnell, C. K-----	16394
and morphia tablets:		Jarabe Denechaud:	
Smith-Dorsey Co-----	16395	Brewer & Co-----	16392
Bacillus Bulgaricus liquid culture:		Knoxa cold tablets:	
Parke, Davis & Co-----	16388	Barnet, L. J., Co-----	16381
tablets:		Laxative Cold Fix tablets:	
Parke, Davis & Co-----	16388	Corn Fix Co-----	16397
Blaud modified tablets:		Mistura creosote compound:	
Pharmaceutical Products Co-----	16399	Killgore, Chas-----	16398
Bu-Ku-Jin elixir:		Morphia and atropine tablets:	
Tonkin Distributing Co-----	16384	Smith-Dorsey Co-----	16395
Calcium lactate tablets:		Nitroglycerin tablets:	
Smith-Dorsey Co-----	16395	Pharmaceutical Products Co-----	16399
Calomel and phenolphthalein tab-		Nue-Ovo:	
lets:		Research Laboratories-----	16390
Pharmaceutical Products Co-----	16399	Phenacetin tablets:	
Campho-Quinine:		Mallen, P. H., Co-----	16389
Gordon Remedy Co-----	16380	Phenolphthalein tablets:	
Chloramine T tablets:		Mallen, P. H., Co-----	16389
Smith-Dorsey Co-----	16395	and calomel tablets:	
Cinchona compound, tincture:		Pharmaceutical Products Co-----	16399
Pharmaceutical Products Co-----	16399	compound tablets:	
Cocaine hydrochloride tablets:		Mallen, P. H., Co-----	16389
Pharmaceutical Products Co-----	16399	Phenylcinchoninic acid tablets:	
Cold tablets:		Pharmaceutical Products Co-----	16399
American Drug Sales Co-----	16400	Pituitary extract:	
Continental Drug Co-----	16383	Pharmaceutical Products Co-----	16399
Corn Fix Co-----	16397	Pneumatica:	
Combination tablets:		Polk, C. F., Co-----	16385
Mallen, P. H., Co-----	16389	Potassium bromide tablets:	
Creosote, Mistura, compound:		Smith-Dorsey Co-----	16395
Killgore, Chas-----	16398	Quinine sulphate tablets:	
Deo Dennis' eucalyptus ointment:		Pharmaceutical Products Co-----	16399
Deo Corporation-----	16376	R P liniment:	
Dina-Mite:		Alveo Chemical Co-----	16378
Dina-Mite Food Co-----	16377	Rheumatism tablets:	
Distemper remedy:		Mallen, P. H., Co-----	16389
Binkley Medical Co-----	16393	Smi-Lax:	
Donnell's Indian vegetable oil:		Kannapolis Drug Co-----	16391
Donnell, C. K-----	16394	Sniff:	
Eucalyptus ointment:		Paris American Corporation-----	16379
Deo Corporation-----	16376	Strychnine sulphate tablets:	
		Mallen, P. H., Co-----	16389

¹ Contains a decision of the court.

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16401-16425

[Approved by the Secretary of Agriculture, Washington, D. C., November 19, 1929]

16401. Misbranding of Lunge Heala. U. S. v. 30 Gross, et al., of Lunge Heala. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23382. I. S. Nos. 03287, 03293, 03294. S. No. 1509.)

On February 13, 1929, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 gross packages and 3,898 dozen bottles of Lunge Heala, remaining in the original unbroken packages at Lehighton, Pa., alleging that the article had been shipped by the Norwich Pharmacal Co., from Norwich, N. Y., in various consignments, on or about October 29, 1928, and February 1 and February 5, 1929, respectively, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium, calcium, sodium, potassium, and phosphorus compounds, chlorides, tar, traces of menthol and chloroform, extracts of plant drugs including wild cherry, sugar, alcohol, water, and aromatic substances.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said articles, (label) "Lun-Ge Hea-La * * * Lunghealer Invaluable in Coughs, * * * Bronchitis, Bronchial Asthma, Whooping Cough and Spasmodic Croup * * * If cough is hard, frequent and dry take one teaspoonful every hour until relieved. * * * For Croup in children," (shipping carton) "Lun-Ge Hea-La," (display poster) "Lun-Ge Hea-La," (circular) "(Lung Healer) Dr. White's Lun-ge Hea-la is * * * The Greatest for Coughs * * * and Whooping Cough. * * * where the cough * * * has settled on the chest, you will find Dr. White's Lun-ge Hea-la will give quick relief. Dr. White's Lunge Hea-la is such a wonderful Cough Medicine and Tonic that it would be impossible to tell it all in this small space. It can only be proven by its use in any kind of Bronchial Troubles. Dr. White's Lun-ge Hea-la is also a wonderful Restorative Tonic, to be used after the Cough * * * to build the system up again. * * * Dr. White's Lun-ge Hea-la * * * [Testimonials] * * * our youngsters had the whooping cough and one of them was so bad he had convulsions. The only thing that stopped, it was Dr. White's Lun-ge Hea-La. * * * It saved one of our youngsters' lives as he was in terrible shape until we started to give him the Dr. White's Lun-ge Hea-la. * * * Having suffered from a terrible chronic cough for a long time without relief I want to say that two bottles of Dr. White's Lun-ge Hea-la gave me such quick relief that I am convinced that Dr. White's Lun-ge Hea-la and other Dr. White's Remedies are the best for every family to use. I had an awful bad cough * * * A fellow railroad worker advised me to try Dr. White's Lun-ge Hea-la * * * it surely helped me, * * * can now take my rest without being bothered with a cough, thanks to Dr. White's Lun-ge Hea-la; which I will always keep in my home. * * * My little girl had the measles and they left her with a very bad cough * * * we saw an advertisement of Dr. White's Lun-ge Hea-la so we bought a bottle and gave her some. She started to feel better from the

very first dose and soon she was entirely rid of the cough. Since then whenever any of our children cough or complain about a cold I just give them a little dose of Dr. White's Lun-ge Hea-la and that ends the cough. * * * We have had wonderful results from using Dr. White's Lun-ge Hea-la. I have used many different cough medicines but never found one like Dr. White's. Our little boy suffers from Bronchial trouble. * * * but a few doses of Dr. White's Lun-ge Hea-la fixes him up very quickly. * * * Our 4-year-old daughter was down with whooping cough and croup for about 4 weeks and * * * I got a bottle of Dr. White's Lun-ge Hea-la and after using about a bottle and a half you would be surprised to see how quick she got better—it was just like magic * * * Dr. White's Lun-ge Hea-la is positively the best medicine for Croup and Coughs and * * * that I ever knew. * * * I was suffering from a very severe Cough * * * Dr. White's Lun-ge Hea-la * * * gave me the quickest relief that I ever got from any medicine * * * Dr. White's Lun-ge Hea-la is the best of all Cough Medicines. * * * I caught an awful hard cough * * * It took three bottles to cure me * * * My father also had a bad cough but one bottle of Dr. White's Lun-ge Hea-la fixed him up all right. * * * I contracted a severe cough * * * Two bottles relieved me entirely * * * Dr. White's Lun-ge Hea-la helped me to get rid of a * * * cough that had hung on me all winter. * * * I got rid of cough * * * before I had used more than half of the second bottle of Dr. White's Lun-ge Hea-la. * * * I have been troubled with bad coughs which kept me awake at night. * * * I bought a bottle * * * and what a wonderful relief after the first few doses. I had only taken one bottle and my cough was entirely gone," were false and fraudulent in that the articles contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On February 19, 1929, the First National Laboratories (Inc.), Leighton, Pa., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$5,000, conditioned in part that it should not be disposed of until relabeled in manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16402. Adulteration and misbranding of citrate magnesia. U. S. v. Michael Meisel, Benjamin Mones, and Lewis J. Mones (Philadelphia Magnesia Co.). Pleas of nolo contendere. Fine, \$50. (F. & D. No. 23717. I. S. No. 14743-x.)

On May 27, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Michael Meisel, Benjamin Mones, and Lewis J. Mones, copartners, trading as Philadelphia Magnesia Co., Philadelphia, Pa., alleging shipment by said defendants, in violation of the food and drugs act, on or about February 29, 1928, from the State of Pennsylvania into the State of New Jersey, of a quantity of citrate magnesia which was adulterated and misbranded. The article was labeled in part: (Bottle cap) "Citrate Magnesia U. S. P. IX," (blown in bottle) "Solution Citrate Magnesia."

Analyses of samples of the article by this department showed that they contained magnesium citrate corresponding to not more than 1.45 grams of magnesium oxide per 100 cubic centimeters, acidity corresponding to not more than 5.99 cubic centimeters of half normal sodium hydroxide per 10 cubic centimeters, and total citric acid corresponding to not more than 19.89 cubic centimeters of half normal sulphuric acid per 10 cubic centimeters of solution.

It was alleged in the information that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation of the article in that it contained magnesium citrate corresponding to less than 1.5 gram of magnesium oxide per 100 cubic centimeters, acidity corresponding to

less than 9.5 cubic centimeters of half normal sodium hydroxide per 10 cubic centimeters, and total citric acid corresponding to less than 28 cubic centimeters half normal sulphuric acid per 10 cubic centimeters, whereas said pharmacopoeia provided that solution of magnes um citrate contain in each 100 cubic centimeters magnesium citrate corresponding to not less than 1.5 gram of magnesium oxide, that it contain acidity corresponding to not less than 9.5 cubic centimeters of half normal sodium hydroxide per 10 cubic centimeters and contain total citric acid corresponding to not less than 28 cubic centimeters of half normal sulphuric acid per 10 cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding was alleged for the reason that the statements, to wit, "Solut'ion Citrate Magnesia" and "Citrate Magnesia U. S. P. IX," borne on the labels, were false and misleading in that the said statements represented that the article was solution citrate magnesia and was citrate magnesia which conformed to the test laid down in the United States Pharmacopoeia, ninth revision, whereas it was not solution citrate magnesia, and did not conform to the test laid down in said pharmacopoeia, ninth revision.

On June 18, 1929, pleas of nolo contendere to the information were entered by the defendants, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16403. Misbranding of Nozol. U. S. v. 5½ Dozen Bottles of Nozol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23681. I. S. No. 01724. S. No. 1876.)

On May 6, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5½ dozen bottles of Nozol at Cincinnati, Ohio, alleging that the article had been shipped by the Nozol Co. (Inc.), from Pittsburgh, Pa., on or about March 25, 1929, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of mineral oil containing camphor, oil of peppermint, and menthol, colored with a pink dye.

The article was labeled in part: (Bottles) "Keeps the nose clean and healthy;" (folder) "Nozol America's Nose Remedy * * * The Health and Care of the Nose. Medical authorities are stressing the importance of the proper regular care of the nose as a preventive of disease as well as in the treatment where infection has already set in. Most of the troubles of the human race can be traced to germs. And it is through the nasal passages that many of these germs enter. We constantly breathe air that is filled with dust, germ-laden particles—some of these pass off with the nasal secretions. However, not all are passed because many lodge on the moist membranous linings and soon an infection appears. Regular cleaning of the nasal passages is as important as cleaning the teeth—the fact that they cannot be readily seen results in many people neglecting them. Nozol is today recognized by physicians, hospitals and specialists as the foremost preparation for the treatment of general nasal troubles. Furthermore they recommend Nozol to prevent as well as to check disease. * * * Nozol * * * healing * * * the infected parts and helping to stop further spread of the infection * * * permits sufficient time for the therapeutic action. * * * Nozol * * * is an effective agent in combating sinus trouble. * * * Nozol is a liquid * * * reaching all parts of the mucous membrane, whereas salves and ointments seldom reach all the infected parts. Nozol for Nasal Catarrh. Catarrh of the nose is one of the most common of diseases. Chronic inflammation of the membrane caused usually by excessive secretion is usually present in nasal catarrh and daily use of Nozol should be followed. The healing, soothing qualities of Nozol will greatly aid nature in curing this catarrhal condition * * * Nozol for Hay Fever. Sufferers from Hay Fever seldom receive the sympathy to which they are entitled and no certain cure has ever been discovered. Thousands today are getting welcome relief during severe attacks and others start prevention early through the use of Nozol. Pollen, that carries the dreaded hay fever, attacks the delicate tissues of the lining. Nozol, when used in time, spreads over the tissues, preventing the pollen from attacking the lining. * * * Nozol for Sinus Trouble * * * It is estimated that two out of three people in America are troubled with sinus infection of varying degrees.

Sinus trouble usually follows severe colds and is indicated by frequent headaches, drippings of mucous into the throat, stoppage of the nasal passages and soreness and tenderness beneath the eye and over the cheekbone. If nature is allowed free rein, it can usually correct this condition. Nozol Most Effective Preparation for Sinus Trouble. By using Nozol regularly, the nasal passages are kept clear and clean and proper drainage of the sinus allowed. Use frequently, three or four times a day if convenient, and shortly the most stubborn cases of sinus trouble usually will yield to this treatment. Physicians are among those loudest in their praise of Nozol for sinus trouble. * * * people having trouble breathing while sleeping, and this is also true in case of children, can overcome this condition by clearing out the passages with Nozol." It was alleged in the libel that the article was misbranded in that the above-quoted statements, appearing on the bottle labels and in the folder accompanying the said article, regarding the curative and therapeutic effects of the said article were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the prevention or treatment of the diseases and conditions named therein.

On June 14, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16404. Misbranding of Dr. R. A. Armistead's ague tonic. U. S. v. 66 Bottles of Dr. R. A. Armistead's Ague Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23585. I. S. No. 0889. S. No. 1706.)

On April 5, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 66 bottles of Dr. R. A. Armistead's ague tonic, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the W. M. Akin Medicine Co., Evansville, Ind., on or about November 3, 1928, and transported from the State of Indiana into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of quinine sulphate, extracts of plant drugs, sugar, alcohol, and water, flavored with cinnamon.

It was alleged in the libel that the article was misbranded in that the following statements, borne on the labels, were false and misleading: (Carton) "Produces * * * Results * * * without Any of Quinine's Bad After-Effects. * * * This Tonic May Be Given to the Most Delicate Child;" (circular) "Do not hesitate to take large and frequent doses, as there will be none of the bad after effects such as are experienced with quinine and its compounds. Take large doses * * * It is absolutely harmless." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton) "Ague Tonic Produces Better Results Than Quinine * * * Is not only a specific for chills and malarial fever, but as a general tonic * * * It is especially good * * * in convalescence after typhoid fever," (bottle) "Ague Tonic * * * Chills & Malaria * * * When the chill time is near at hand it is advisable to double the dose as this will generally ward off the chill entirely. * * * Flu and La Grippe * * * Take * * * until recovery. * * * continue * * * until health is fully restored. General Builder Tonic * * * After chills have been stopped, the patient should continue to take * * * until perfect health is restored. * * * Begin taking the tonic (two tablespoonfuls to a dose) ten hours before chill is expected and repeat this dose every two hours," (circular) "Ague Tonic A General Builder Tonic Flu * * * Chills Malaria * * * in which district * * * there was a great deal of chills and malarial fever. This tonic was used * * * with unvarying success and it worked with such good results * * * as the best treatment * * *

for chills and malaria. It is good for the stomach, nerves and blood, and its general effect is to strengthen and vitalize the whole system and at the same time build up and restore the affected regions to their normal and healthy conditions. * * * It is * * * the best tonic * * * This tonic has relieved * * * old and chronic cases of chills and fever * * * invaluable * * * not only as a remedy for but as a preventive against sickness. General Builder Tonic * * * Takes away that tired feeling, aching bones, headaches and sleepless nights, and will bring the condition up to par. * * * prevent illness by taking a few frequent doses of this tonic. * * * serious illness can be intercepted by taking a few timely doses of the tonic, as it will tend to destroy any poison in the system. * * * Flu—LaGrippe * * * Dr. H. A. Armistead's Ague Tonic * * * stimulates the circulation and brings you back to normal. * * * Brings quick relief in cases of Flu and La Grippe. Chills and Malarial Fever * * * for chills and malarial fever * * * it quickly eradicates the malarial germ. * * * is readily absorbed into the system and can be retained during fever. * * * Perfectly harmless if taken in bigger doses, * * * For chills, dengue or swamp fever * * * according to the seriousness of your illness, and continue the use until the chills and fever are entirely broken up. After you have regained health * * * continue taking the tonic every day for two or three weeks * * * to entirely wipe out all traces of the disease," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16405. Misbranding of Swaim's panacea. U. S. v. 12 Dozen Bottles of Swaim's Panacea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22804. I. S. No. 20743-x. S. No. 842.)

On June 9, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 dozen bottles of Swaim's panacea at San Juan, P. R., alleging that the article had been shipped by A. S. Wilson (Inc.), New York, N. Y., on or about May 12, 1928, from the State of New York into Porto Rico, and was being sold and offered for sale in Porto Rico by J. M. Blanco (Inc.), San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, a trace of iodides, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper, Spanish) "A medicine known for over 100 years for use in diseases of the blood. * * * As * * * blood purifier. In public use since 1820 for the treatment of diseases of the blood. Also as * * * blood purifier;" (circular, Spanish) "Swaim's Panacea. Useful as * * * blood purifier. Swaim's Panacea has challenged the test of almost a century, a test so severe that it showed up its true character, its use, its abuse and faults. No medicine without merit can stand what can be said about Swaim's Panacea—that it has gone through every test successfully. * * * We have many testimonials, many of them so astonishing, that many a time it is difficult to believe their sincerity. Anywhere where an investigation has been made, we have found that the testimonial was written in good faith, and what seems to be extravagant praises of the writer is only the sign of the great enthusiasms, profound gratitude and high esteem felt for the medicine, by the use of which alleviation has been assured."

On October 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16406. Misbranding of Broncil. U. S. v. 70 Bottles of Broncil. Default decree of condemnation and destruction. (F. & D. No. 23542. I. S. No. 03069. S. No. 1778.)

On March 22, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 70 bottles of Broncil, remaining in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the Modern Products Co., from Rochester, N. Y., on or about November 6, 1928, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, menthol, tolu balsam, oil of eucalyptus, extracts of plant drugs including wild cherry, tartar emetic, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (bottle) "Broncil For Coughs * * * Bronchitis, Hoarseness And All Bronchial Diseases," (carton) "Broncil For Coughs * * * Bronchitis, Hoarseness and Bronchial Diseases," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 24, 1929, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16407. Adulteration and misbranding of Merle's cod liver oil tablets. U. S. v. 5 Dozen Packages of Merle's Cod Liver Oil Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23699. I. S. No. 02769. S. No. 1949.)

On May 10, 1929, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 dozen packages of Merle's cod liver oil tablets at Clarion, Pa., alleging that the article had been shipped by the Devore Mfg. Co., from Columbus, Ohio, on or about February 6, 1929, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained metallic iron, zinc compounds, phosphides, berberine, strychnine, and a small amount of fish oil.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Tablets Cod Liver Oil" and "Cod Liver Oil by Extractives," whereas the strength of the article fell below such professed standard.

Misbranding was alleged for the reason that the statements on the carton, "Compound Gaduol Tonic Tablets Cod Liver Oil" and "Cod Liver Oil by Extractives," were false and misleading. Misbranding was alleged for the further reason that the statement "Valuable in the treatment of malnutrition, anemia, rickets, atony," borne on the label, regarding the curative and therapeutic effects of the article were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 15, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16408. Adulteration and misbranding of Griperol. U. S. v. 35 Dozen Bottles of Griperol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23626. I. S. No. 02145. S. No. 1302.)

On or about April 22, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 35 dozen bottles of Griperol at Ponce, P. R., alleging that the article had been shipped by Gabriel J. Fajardo, New York, N. Y., into Porto Rico, on or about June 29, 1928, and that it was being offered for sale and sold in Porto Rico by Anselmi Hnos. (Inc.), Ponce, P. R., and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of salts of ammonium, hypophosphites, chlorides, cod liver oil extract, menthol, tar and other pine products, alcohol, sugar, and water.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, (carton and bottle label) "A preparation based on extract of cod liver oil," (circular) "Griperol * * * contains the extract of cod liver oil."

Misbranding was alleged for the reason that the statements, (carton and bottle label) "A preparation based on extract of cod liver oil," (circular) "Griperol * * * contains the extract of cod liver oil," were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the labels, (carton and bottle label) "Griperol * * * In Cough, Bronchitis, Hoarseness, Bronchial Catarrhs, Grippe. It is * * * reconstituent," (circular) "Used in Bronchio-Pulmonary affections * * * Cough, Hoarseness, Bronchitis, Catarrh, etc. It is * * * an * * * reconstituent," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16409. Misbranding of Arkadin. U. S. v. 20 Bottles of Arkadin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23687. I. S. No. 02141. S. No. 1915.)

On or about May 13, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 bottles of Arkadin at Ponce, P. R., alleging that the article was being offered for sale and sold in Porto Rico, by Moscoso Hno. & Co., S. en C., Ponce, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of creosote, menthol, benzoate of soda, guaiacol, phenol, mydriatic alkaloids, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (carton label, translated from Spanish) "For The Diseases of the Respiratory Tract * * * Catarrh, Cough, Grippe, Asthma, Bronchitis," (bottle label, translated from Spanish) "For the Treatment of Catarrh in the Chest, Vexatious Coughs, Grippe, Hoarseness, Bronchitis, Influenza, Asthma, and other affections of the Lungs, Throat and Bronchios," (circular, translated from Spanish) "For the complete treatment of the diseases of the Chest such as, Catarrh in the chest, no matter whether it is of a chronic character, Asthma, Hoarseness, Obstinate Coughs with Yellowish Expectorations, Severe Attacks of Grippe in which the organism is feverish and for incipient Tuberculosis it has given magnificent results. After the first doses of this Medicine a notable improvement is felt and with its continuous use the patient gets well," were

false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16410. Misbranding of Jarabe Compuesto Cocillana Tropical. U. S. v. 144 Bottles of Jarabe Compuesto Cocillana Tropical. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23670. I. S. No. 02140. S. No. 1845.)

On May 4, 1929, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 144 bottles of Jarabe Compuesto Cocillana Tropical at Santurce, P. R., alleging that the article was being offered for sale and sold in Porto Rico by the American Tropical Remedy Co., Santurce, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an extract of a plant drug, menthol, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label thereof of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, (carton, translated from Spanish) "Expectorant * * * Antigrippal * * * Alleviates cough * * * irritation of the throat and bronchia, hoarseness, etc. * * * for treatment of acute and sub-acute diseases of the chest, such as laryngitis, bronchitis, asthma, pleurisy, etc. and for alleviating the cough accompanying these diseases," (bottle, translated from Spanish) "For the treatment of the acute and sub-acute diseases of the chest, such as, bronchitis, laryngitis, pleurisy, asthma, etc. and for alleviating the cough accompanying these diseases," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of the diseases or conditions named therein.

On June 8, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16411. Adulteration and misbranding of cod-liver oil compound tablets. U. S. v. 11 Dozen Cartons of Cod Liver Oil Compound Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23434. I. S. No. 06. S. No. 1638.)

On February 18, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen cartons of cod-liver oil compound tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Morgenstern Co., from Brooklyn, N. Y., on or about December 23, 1928, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained iron and zinc compounds, strychnine, extracts of plant drugs including ginger and a laxative drug, and a trace of fish oil.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, cod-liver oil compound tablets.

Misbranding was alleged for the reason that the statement "Cod Liver Oil Compound Tablets," together with the design showing picture of a fish, borne on the wholesale and retail cartons, were false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Retail carton) "Loss of Flesh, Malnutrition, Convalescence after * * * Grippe, or Pneumonia," (wholesale carton) "Loss of Flesh, Malnutrition, Convalescence After Colds, Grippe or Pneumonia."

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16412. Adulteration and misbranding of laxative Anti-Gripine. U. S. v. 100 Boxes of Laxative Anti-Gripine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23524. I. S. No. 012882. S. No. 1692.)

On or about March 16, 1929, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 boxes of laxative Anti-Gripine, remaining in the original unbroken packages at Evansville, Ind., alleging that the article had been shipped by the Anti-Gripine Co., from Springfield, Mo., on or about January 7, 1929, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetanilide (215.8 grains per ounce), sodium salts, carbonates, capsicum, podophyllin, aconite alkaloids, and extracts of plant drugs including a laxative drug.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard under which it was sold, namely, "Each Oz. contains 240 grs. of Acetanilid."

Misbranding was alleged for the reason that the statement on the carton, "Each Oz. Contains 240 grs. of Acetanilid," was false and misleading, and for the further reason that the package failed to bear a statement on the label of the quantity of acetanilide contained therein, since the declaration was incorrect. Misbranding was alleged for the further reason that the following statements and design regarding the curative and therapeutic effects of the article, appearing on the labels and in the circulars, (carton) "None Genuine Without this Grip and the name Anti-Gripine on Package. (Picture of a grip) For the grip * * * coughs * * * Anti-Gripine * * * for * * * La Grip, Influenza, Coughs, * * * For La Grippe, * * * Neuralgia * * * Tonic * * * None genuine without a pictorial Grip and the name Anti-Gripine on box," (circular of testimonials) "Anti-Gripine for La Grip, Flu * * * Neuralgia, Neuritis * * * Anti-Gripine * * * is the best * * * LaGrippe * * * Tablets * * * laxative Anti-Gripine * * * It saved my boy from Pneumonia * * * Take Laxative Anti-Gripine for * * * LaGrippe, Flu * * * Anti-Gripine. I consider it the best * * * La Grippe remedy * * * Remedy for * * * La Grippe * * * Anti-Gripine * * * the best remedy for La Grippe, Flu * * * Anti-Gripine is the best * * * remedy * * * a host of the plagues of mankind would disappear if * * * La Grippe * * * were banished. Laxative Anti-Gripine has no superior as a remedy in the early stages of these ailments. * * * Laxative Anti-Gripine * * * for Coughs * * * Neuralgia, etc. * * * The Flu is raging here and the people are calling for Anti-Gripine," (another circular) "The Common Cold Often Mistaken for LaGrippe, Influenza, Etc. * * * everything which lowers the body vitality, such as chilling of the surface of the body, undue exposure, insufficient ventilation, public gatherings, etc., for the absorption of poison from the intestinal tract, permits the invasion of the respiratory mucous membrane by those organisms which normally live upon them. The inflamed red nose and congested eyes are signals, and we realize that we are taking the 'Common Cold,' the LaGrippe or Influenza."

enza. * * * When a cold is left for nature to cure it too frequently develops into the dreaded Pneumonia that takes such heavy toll of human life. The only safe way is to stop a cold at once, which is easily done if you take precaution and use the proper remedy. Laxative Anti-Grippe's purpose is to banish * * * LaGrippe, Headache, Neuralgia, Pains, etc., as quickly as possible. * * * Anti-Grippe * * * Laxative Anti-Grippe is the best remedy I have ever used for the 'Flu.' * * * I have sold * * * Anti-Grippe," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16413. Misbranding of McK & R cold and grippe tablets. U. S. v. 59 Dozen Packages of McK & R Cold and Grippe Tablets. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23373. I. S. No. 05809. S. No. 1539.)

On February 6, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 59 dozen packages of McK & R cold and grippe tablets, remaining in the original unbroken packages at Boston, Mass., consigned about January 21, 1929, alleging that the article had been shipped by McKesson & Robbins (Inc.), Bridgeport, Conn., and transported from the State of Connecticut into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide, cinchonidine, hydrobromide, camphor, aloin, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the following statements, appearing in the circular, were false and misleading: "McK. & R. Cold and Grippe Tablets contain * * * safe agents. * * * They act * * * safely * * * do not depress or injure the system." Misbranding was alleged for the further reason that the following statements appearing on the labels and in the circular, regarding the curative and therapeutic effects of the said article (tin container, circular, and display carton) "Grippe Tablets," (tin container) "One of the McK. & R. Health Helps * * * One Tablet every two hours during the day or until relieved," (circular) "What is called the Grippe, is a 'riot' produced among striking body functions by the efforts of trouble-making germs that have gained entrance to the blood. Constipated bowels, a sluggish liver and disordered stomach allow food waste to remain unduly long in the body and generate poisonous matter, which is absorbed into the blood and renders the latter irritating. Such poisonous blood irritates the brain muscles and nerves and makes them ache; the skin and kidneys overwork in the effort to get rid of the waste matter. Hence, the easiest and best way to break up and get rid of * * * the Grippe is to take some simple, harmless but effective combination of remedies that will open the bowels, start the kidneys and skin to working actively, relieve the pain and aching, purify the blood and so overcome the strike and quell the riot. McK. & R. Cold and Grippe Tablets accomplish such purposes quickly, safely and effectually. McK. & R. Cold and Grippe Tablets contain standard and safe agents that are used and approved by physicians in the treatment of colds and the Grippe. It is unwise and sometimes dangerous to take certain powerful drugs that depress the heart and derange the circulation, although such may to a greater or lesser degree deaden or disguise the aching and pain. McK. & R. Cold and Grippe Tablets do not depress or injure the system. They act surely and safely to overcome the causes that are at the bottom of the trouble and the effect that follows the taking of the first dose or two is continued provided they are taken according to directions until * * * Grippe cured. Often you may suffer from headache, which is an early sign that your bowels are getting out of order and

ready to make trouble. A McK. & R. Cold or Grippe Tablet or two will not only relieve the headache, but will set your digestive system in order, stir up your liver, make skin and kidneys act more energetically, and so prevent your 'taking cold.' At times when Influenza or the Grippe is raging, those who keep their digestive and eliminating organs actively working escape the disease, even though they can not avoid exposure to the germs of this disease. McK. & R. Cold and Grippe Tablets, therefore, are surely useful; they * * * in most cases prevent and protect. * * * Adults should take one tablet every two hours during the day, or until relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 23, 1929, the Eastern Drug Co., Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of collateral security in the sum of \$100, conditioned that the claimant remove the drug from its containers and place it into a blank container, and destroy the containers, together with all labels, wrappers, circulars, and other printed matter accompanying it under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16414. Misbranding of B B headache powders. U. S. v. 21 Dozen Packages of B B Headache Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23505. I. S. No. 05696. S. No. 1722.)

On March 13, 1929, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 dozen packages of B B headache powders, remaining in the original unbroken packages at Charlotte, N. C., alleging that the article had been shipped by Bostwick Bros., from Atlanta, Ga., on or about July 9, 1928, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the powders contained acetanilide (3.3 grains per powder), acetylsalicylic acid, potassium bromide, and caffeine.

It was alleged in the libel that the article was misbranded in that the following statement, (circular) "B-B Headache Powders are taken daily by people who can not take aspirin tablets and pills," was false and misleading, since the said article contained acetylsalicylic acid (aspirin). Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the labels, (envelope) "Quick Relief For * * * Neuralgia * * * La Grippe * * * Sleeplessness, Earache * * * Female Pains * * * for Neuralgia * * * for Earache * * * LaGrippe * * * and Female Pains, take one Powder every hour until relieved," (circular) "B-B Headache Powder is recommended in stubborn cases of * * * Neuralgia and Female Pains, * * * we * * * recommend 'B-B' Headache Powders to be a quick relief. * * * For Neuralgia and Female Pains * * * Female Pains; * * * Neuralgia * * * 'B-B' Headache Powder will give quick relief," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 23, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16415. Misbranding of Mack's cold capsules. U. S. v. 3 Dozen Packages of Mack's Cold Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23501. I. S. No. 08. S. No. 1688.)

On March 7, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 dozen packages of Mack's cold capsules, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., from St. Louis, Mo., on or about November 24, 1928, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained acetanilide, quinine, sodium and potassium compounds, bromides, methyl salicylate, and aloin.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (carton container) "For * * * LaGrippe * * * To Relieve * * * an attack of LaGrippe * * * In Severe Cases," (circular) "Good for * * * Neuralgia," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16416. Misbranding of Amber-O-Latum. U. S. v. 98 Jars of Amber-O-Latum. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23412. I. S. No. 05923. S. No. 1611.)

On February 16, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 98 jars of Amber-O-Latum, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Amber-O-Latum Co., from Springfield, Oreg., on or about November 5, 1928, and transported from the State of Oregon into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a lanolin and petrolatum base containing methyl salicylate, oil of mustard, camphor, and eucalyptus oil.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the circular and on the labels were false and fraudulent: (Circular) "A remedy there is no use for anyone to suffer from the annoyance of a cough * * * and take the chance of it resulting in something more serious—when there is a reliable remedy like—Amber-o-latum Chest Ointment * * * It stimulates the secretion and soothes and heals the inflamed surfaces. * * * Try it for Neuralgia, Pneumonia, La Grippe, Croup, Asthma, * * * Bronchitis, * * * Influenza, Lumbago, Pleurisy Pains, Rheumatism;" (carton) "Chest ointment * * * for croup, pneumonia, influenza and other forms of congestion and inflammation. * * * One trial will convince you that this is the best preparation known for the relief of croup, pneumonia and influenza;" (label) "For * * * croup, pneumonia, influenza and other forms of congestion and inflammation. * * * Apply to chest and rub in well three or four times daily.

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16417. Misbranding of liquid Hog Health. U. S. v. 5 Gallons, et al., of Liquid Hog Health. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23180, 23181, 23182, 23183. I. S. Nos. 04960, 14961, 04963, 04964. S. No. 1283.)

On or about November 9, 1928, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure

and condemnation of 29 gallons of liquid Hog Health, in various lots at or near Onawa, Iowa, and Seney, Iowa, respectively, alleging that the article had been shipped by the General Veterinary Laboratory, Omaha, Nebr., in part on or about October 24, 1928, and in part on or about October 25, 1928, and transported from the State of Nebraska into the State of Iowa, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium hydroxide, calcium compounds, phosphates, creosote, chenopodium oil, traces of magnesium, iodides, and sulphates, and water.

The article was labeled in part: "Sick and Wormy Hogs. Hogs that are sick and wormy require special care and attention * * * as hogs that are noticeably sick with any of the common hog diseases for which Liquid Hog Health is recommended, or are infested with worms, should immediately be given Liquid Hog Health medicated oats mixed as described on the other side of this label * * * Sick Hogs will eat a small amount often and gradually eat more as they improve. Continue to feed liquid Hog Health medicated oats each day for two weeks * * * After two weeks gradually put them back of regular ration. Then feed Liquid Hog Health medicated oats twice a week to keep hogs in good condition * * * Conditioning. To keep hogs of any age or weight in condition feed Liquid Hog Health medicated oats twelve * * * For general conditioning satisfactory results can also be obtained by mixing Liquid Hog Health with the regular slop or soaked grain feeds * * * Hog Health * * * does three things for hogs * * * Liquid Hog Health mixed in slop in this way and fed daily makes an excellent tonic to stimulate the growth of backward pigs and shoats."

It was alleged in the libels that the article was misbranded in that the above-quoted statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 4, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16418. Misbranding of La Flugo Special cold tablets. U. S. v. 140 Packages of La Flugo Special Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23422. I. S. No. 05026. S. No. 1540.)

On February 18, 1929, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 140 packages of La Flugo Special cold tablets, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Lincoln Pharmacal Co., from Lincoln, Nebr., on or about November 4, 1927, and transported from the State of Nebraska into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained calcium and sodium salts, sulphates, camphor, oleoresin of capsicum, traces of the alkaloids of ipecac and aconite, and extracts of plant drugs.

It was alleged in the libel that the article was misbranded in that the cartons containing the article and the accompanying circulars bore the following statements, (carton) "La Flugo * * * for * * * La Grippe or Flu," (circular) "La Flugo * * * They expect him to name some reliable preparation * * * that will relieve * * * La Grippe, Influenza, etc. In order to have such a preparation a prominent physician developed an original formula vastly different and more successful than any other. This he used in his private practice for several years, perfecting it in every detail. * * * the Lincoln Medicine Co., to whom the original prescription was given, are now supplying this exact preparation to the public, having given it the name 'La Flugo.' * * * Colds are caused by congestion of the blood into the weaker internal organs following some exposure or chilling of the body surface. Infections such as bronchitis, pneumonia, tonsillitis, sore throat, etc., develop in these congested organs if the congestion is not promptly relieved. La Flugo promptly relieves congestion, reduces fever, overcomes body aching, * * * and aids the body in overcoming infections. It is, therefore, the ideal remedy for * * * La Grippe and Influenza. * * * To obtain the best results it is advised that La Flugo be taken as follows:—One tablet every hour for 3

doses, then 1 tablet every 3 or 4 hours while needed. * * * If 3 tablets are taken an hour apart before retiring all symptoms will be greatly improved by the following morning. In severe cases it may be found best to take one tablet every two hours after taking the first 3 an hour apart," which said statements regarding the curative and therapeutic effects of the article were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 27, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16419. Misbranding of Mintol Vapocream. U. S. v. 2 Dozen Packages, et al., of Mintol Vapocream. Default decree of condemnation and destruction. (F. & D. No. 23506. I. S. No. 05814. S. No. 1704.)

On March 13, 1929, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 dozen packages and 18 advertising samples of Mintol Vapocream, remaining in the original unbroken packages at Claremont, N. H., consigned to the American Drug Sales Co., Boston, Mass., alleging that the article had been shipped from Boston, Mass., on or about November 22, 1928, and transported from the State of Massachusetts into the State of New Hampshire, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a petrolatum base containing phenol, formaldehyde, and volatile oils including eucalyptus and peppermint oils, camphor, and menthol.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, (jar label) "For Influenza, Spasmodic Croup and Pneumonia Home Relief Laboratory * * * Pneumonia * * * Rub Mintol in well * * * the healing vapors * * * may be inhaled. Repeat applications * * * till fever is reduced, * * * Spasmodic Croup. * * * allowing vapors to be inhaled, rub a little in nostrils. When difficult breathing is relieved, * * * Spanish Influenza. Apply as in spasmodic croup," (carton) "For Influenza, Spasmodic Croup, and Pneumonia * * * For treating Spanish Influenza, Grippe, Pneumonia, etc., by arranging the bed covering in the form of a funnel the vapors arising from Mintol * * * will be found beneficial. Mintol Vapocream * * * acts * * * scattering congestion and thus allays fever and reducing inflammation. * * * Mintol * * * vapors aid in * * * Spasmodic Croup * * * Whooping Cough, etc. * * * Use for Congestion and Inflammation in * * * Influenza, Pneumonia, Whooping Cough, Tonsillitis * * * Croup (Spasmodic), Bronchitis, Catarrh, Sore Throat, Asthma * * * Neuralgia, Eczema, Itching Piles, Itching Humors, Boils, Rheumatic Pains," (labeling accompanying advertising samples, envelope) "Relieves * * * Croup and All congestion * * * Influenza, Spasmodic Croup * * * Stop 'Flu' & Pneumonia," (tin box) "For Influenza, Spasmodic Croup, and Pneumonia * * * Apply externally * * * scattering congestion and thus allays fever and reducing inflammation * * * Mintol * * * the vapors aid in * * * spasmodic croup * * * whooping cough, etc.," (circular) "Influenza Grip or Pneumonia * * * For Congestion and Inflammation * * * For all inflammation and congestion, * * * for Pneumonia, Influenza, Grippe, Croup, Whooping Cough, * * * Coughs, Pleurisy, Bronchitis, Tonsillitis, Swollen Glands, Boils, Felons, Neuralgia, Toothache, Earache, * * * Bunions, Carbuncles. Relieves stiffness in joints, contracted muscles, inflammation in wounds and reduces fever of all descriptions rapidly. * * * these vapors * * * inhaled carrying their healing qualities directly to the throat and lungs. * * * It * * * stimulates the skin, increasing the blood circulation to the parts affected and thereby aiding in the scattering of the congestion * * * Catarrh * * * in * * * cases of severe catarrhal conditions * * * it will loosen up the congestion caused by the catarrhal

condition. Treatment for Asthma * * * Roup in Fowls * * * Dis-
temper in Horses and Dogs * * * Pleurisy or Pneumonia in Horses * * *
I * * * used * * * Mintol Cream * * * finds it is a wonderful
discovery for * * * Pneumonia. * * * our children had a severe attack
of Broncho-Pneumonia and the Mintol broke the congestion * * * Mintol
Keeps the Feet Free From * * * Bunions * * * Mintol is * * *
remedy * * * for aching * * * feet that are covered with * * *
* * * bunions * * * Mintol For Hay Fever * * * Neuralgia,
Catarrh and * * * For Healing any Sore and Relieving Pain * * *
Rose Colds * * * sore feet * * * I tried Mintol * * * it heals and
takes the soreness out of any sore spots on any part of the body," were false and
fraudulent in that the article contained no ingredient or combination of in-
gredients capable of producing the effects claimed, and in that the said state-
ments were applied to the article knowingly and in reckless and wanton disre-
gard of their truth or falsity, so as to represent falsely and fraudulently to pur-
chasers thereof and create in the minds of such purchasers the impression and
belief that it was in whole or in part composed of or contained ingredients or
medicinal agents effective in the diseases and conditions named therein.

On May 24, 1929, no claimant having appeared for the property, judgment of
condemnation was entered, and it was ordered by the court that the product be
destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16420. Misbranding of Swaim's panacea. U. S. v. 12 Dozen Bottles of Swaim's Panacea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22803. I. S. No. 20742-x. S. No. 841.)

On June 9, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 dozen bottles of Swaim's panacea at San Juan, P. R., alleging that the article had been shipped by Iglesias & Co. (Inc.), New York, N. Y., on or about March 29, 1928, into Porto Rico, and was being offered for sale and sold in Porto Rico by the Drug Co. of Porto Rico, San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, a trace of iodides, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Wrapper, Spanish) "A medicine known for over 100 years for use in diseases of the blood. * * * As * * * blood purifier. In public use since 1820 for the treatment of diseases of the blood. Also as * * * blood purifier;" (circular, Spanish) "Swaim's Panacea. Useful as * * * blood purifier. Swaim's Panacea has challenged the test of almost a century, a test so severe that it showed up its true character, its use, its abuse and faults. No medicine without merit can stand what can be said about Swaim's Panacea—that it has gone through every test successfully. * * * We have many testimonials, many of them so astonishing, that many a time it is difficult to believe their sincerity. Anywhere where an investigation has been made, we have found that the testimonial was written in good faith, and what seems to be extravagant praises of the writer is only the sign of the great enthusiasms, profound gratitude and high esteem felt for the medicine, by the use of which alleviation has been assured."

On October 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16421. Misbranding of Swaim's panacea. U. S. v. 11 Dozen Bottles of Swaim's Panacea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22793. I. S. No. 20741-x. S. No. 814.)

On May 28, 1928, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen bottles of Swaim's panacea at San Juan, P. R., alleging that the article had been shipped by A. S. Wilson (Inc.), New York, N. Y., into Porto Rico, on or about November 17, 1926, and was being sold and offered for

sale in Porto Rico by Serra, Garabis & Co., San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs, a trace of iodides, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: (Wrapper and circular, translated from Spanish) "A medicine known for over 100 years for use in diseases of the blood * * * blood purifier. In public use since 1820 for the treatment of diseases of the blood. Also as * * * blood purifier;" (circular, translated from Spanish) "Panacea * * * blood purifier. * * * Panacea has challenged the test of almost a century, a test so severe that it showed up its true character, its use, its abuse and faults. No medicine without merit can stand what can be said about Swaim's Panacea—that it has gone through every test successfully."

On October 16, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16422. Misbranding of Ru-Bon No. 1. U. S. v. 9 Bottles of Ru-Bon No. 1. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23492. I. S. No. 03646. S. No. 1725.)

On March 8, 1929, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 bottles of Ru-Bon No. 1, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by the Ru-Bon Chemical Co., Kansas City, Mo., on or about January 29, 1929, and transported from the State of Missouri into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of chrysarobin, ether, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the article, borne on the labels, (bottle label) "For Psoriasis and dry, chronic stubborn Eczema," (carton) "Psoriasis, a disease of the skin, is characterized and differentiated by scaly patches, red for the most part, though some are white in color. The names of the varieties of the disease correspond to the shapes and color of the patches. In most varieties, the patches are isolated. In some they are so diffused as to form contiguous lesions—as Baker's Itch, Bricklayer's Itch and Grocer's Itch. Cure consists in dissolving and removing the patches; in cleansing and antiseptizing the noxious conditions; and in restoring natural functions of the skin. * * * Ru-bon No. 1 contains * * * a derivative of a garden herb long used as a home remedy for the disease. * * * Ru-Bon No. 1 has in it the 16 years of its use proved its worth, justified the claims made for it as a prescription for Psoriasis. The Ru-Bon Compounds * * * constitute antiseptic resolvents, purifiers and naturalizers of skin affections. They have been formulated primarily for Eczemas * * * Ru-Bon No. 1 This is formulated specially for the treatment of Psoriasis. It, too, supplements Ru-Bon No. 3 in the treatment of very stubborn eczemas * * *. Ru-Bon No. 1 * * * The Ru-Bon Prescription for Psoriasis * * * Of tried and proved potency for Psoriasis. * * * Directions: * * * paint the spots covering them well. Repaint often enough to keep spots covered all the time until a true healthy skin appears. If spots become irritated, or itching occurs around the borders, use No. 3 Ru-Bon freely to stop soreness and itching; but keep the unhealed spots covered with Ru-Bon No. 1. When the affections begin to disappear keep a covering of Ru-Bon No. 1 on the spots * * * Ru-Bon No. 3 until all the skin is healthy," (circular) "The development of Ru-Bon by Mr. Minter while healing himself of Eczema (Psoriasis). * * * Discovery and Development. The story of the discovery, development and formulations of these remedies affords greatest possible assurance of their virtues. Charles D. Minter, maker and proprietor of the Ru-Bon Remedies, while a merchant engaged in dry goods business, was for thirty-five years a constant sufferer from psoriasis. Undergoing at one time a most virulent attack, he was advised by a chance acquaintance that, abroad, his trouble was known among common

folk as English leprosy, and that the home remedy and cure was from poultices made principally of scrapings of rhubarb roots. Acting upon the hint—aided by the suggestions of a pharmacist that if rhubarb in the raw was a specific, a derivative of the herb should be likewise curative—Mr. Minter caused to be worked out a prescription which, modified and remodified upon experimentation, in the course of a few weeks cleared his skin entirely of psoriasis spots. * * * Not until * * * he had encouraged a large number of persons like afflicted to try the prescriptions—and * * * proved, over and over again, the amazingly curative properties of it. * * * to show the remarkable success of the trials made and to demonstrate the sure ground upon which Mr. Minter has proceeded, excerpts from a few of these earliest testimonials are here produced. * * * I was troubled with Eczema on my feet for over three years; had specialists treat me and tried every remedy recommended to me; none did me any good until I used Ru-Bon; it cured me in about three weeks. * * * I want those who suffer with eczema to have a chance to get the relief which your remedies will surely give them. * * * My little girl has Eczema very bad. * * * Please send me two bottles at once. * * * The little girl is cured. * * * I have had Eczema on my leg for eighteen months * * * Ru-Bon Remedies cured me. * * * recommending them to any one afflicted with eczema, * * * Eczema, the diseases for which this remedy has been primarily formulated, has varied forms and manifestations as it affects various individuals. * * * the essential thing being to put the corrective agents contained in Ru-Bon in contact with the roots of the trouble * * * Ru-Bon No. 1. It is preeminently the preparation for Psoriasis—for chronic stubborn eczema. * * * It is so contrived that it gets to the seat of the trouble * * * It is a hard hitting resolvent * * * No. 1 Ru-Bon can be so supplemented * * * as to do its work, get results, without shock or undue distress to any patient, irrespective of age or conditions of general health. * * * Apply Ru-Bon No. 1 to affected areas * * * For Psoriasis. For Chronic, Stubborn Eczema of all kinds," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On April 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16423. Misbranding of Ru-Bon No. 2. U. S. v. 2 Dozen Bottles of Ru-Bon No. 2. Default decree of destruction entered. (F. & D. No. 23101. I. S. No. 0618. S. No. 1142.)

On or about September 29, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 dozen bottles of Ru-Bon No. 2, remaining in the original packages at Los Angeles, Calif, alleging that the article had been shipped by the Ru-Bon Chemical Co., from Kansas City, Mo., in various consignments, on or about July 2, July 31, and August 22, 1928, respectively, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of chrysarobin, salicylic acid, resorcin, glycerin, volatile oils including oil of bay, alcohol, and water.

The article was labeled in part: (Label) "Acne * * * Dry, scaly Eczema * * * Herpes * * * For Dry, Stubborn, Chronic Eczema, and Parasitic Infections * * * Acne, Psoriasis;" (carton) "For Eczema * * * Tetter, Salt Rheum, Acne * * * for Eczema on hands, face, head or feet, use Nos. 2 * * * For Eczema of Rectum use Nos. 2 and 3. * * * For Pimples * * * use No. 2. For Tetter use No. 2. For Salt Rheum use No. 2. * * * For Acne use No. 2. For Vitiligo use No. 2. For Lupus use Nos. 1, 2, and 3;" (leaflet) "Number 3 is the weakest number and the only one necessary for 80 per cent of ordinary skin troubles;" (circular) "Eczema Psoriasis, Tetter, Salt Rheum, Intractable Skin Troubles * * * specific, germ-killing, * * * Discovered by Chas. D. Minter after

35 years of personal experience with Eczema Psoriasis. To be used Externally, and has been used on the worst cases of skin diseases, including every known ailment of the skin, some of 30 or 40 years' standing where almost the entire surface was affected. I would not hesitate to offer any amount of reward that there is not a case of Eczema that could not be healed perfectly with Ru-Bon, under our physician's care, and you can do the same at home if you use Ru-Bon. * * * If you give us the names of friends troubled with Eczema, we will write them, and if they use Ru-Bon they will thank you * * * I was seriously troubled with Eczema on my hands for over 15 years and I was compelled to wear gloves or keep them wrapped all the time. I was treated by the best doctors and specialists I could find, and used every known remedy, but did not get relief until I used Ru-Bon. * * * It gives me great pleasure to hear of its good results with everyone. * * * thoroughly demonstrated and analyzed before Government Chemist, before offering to the public, as an external remedy, and a pure and true specific for skin infections, an antidote for poisonous substances. * * * A little goes a long way toward healing, and no matter how long standing your skin trouble is, you will be greatly benefited by using Ru-Bon. And if you use it as directed, and stick to it, it will not fail to clear your skin of any eruptions. * * * that same old itch that has kept you scratching perhaps for years, spots that spread like psoriasis, but it itches every night and you can not sleep. Usually on the hairy parts of the body—in crotch, under the arms, in bend of elbow or under knees, back of neck, in beard, on the head. * * * You must use No. 2 and 3 Ru-Bon and keep it up until every parasite is destroyed. * * * Use No. 3 Ru-Bon until the soreness is gone, then apply No. 2 * * * For Lupus—Certain doctors in Germany have been most successful with Lupus. They will not take you under treatment for less than one year to eighteen months. Ru-Bon has done wonders for Lupus, but it will take about 2 years of faithful treatment with No. 2 and 3 Ru-Bon * * * Herpes—On Children use No. 3 Ru-Bon. If of long standing on adults, use Nos. 3 and 2. Seborrhoea Dandruff, Pityriasis, use No. 3 Ru-Bon every two or three days, or every time you wet your scalp. If stubborn sore spots, make application with No. 2 and alternate with No. 3. Acne * * * Apply No. 2 Ru-Bon * * * For Parasites, * * * Eczema in Crotch or any part of the body, with intensive night itching, use No. 2 * * * For Pimples * * * use No. 2 * * * For Acne, use No. 2 For Lupus, use Nos. 2 and 3. * * * Eczema, Tetter and Salt Rheum, all mean the same and all skin troubles are usually called Eczema, and Ru-Bon is made to heal the skin. No matter how bad your case or how long standing, you will get immediate relief, and if it has just started, a few applications will save you great suffering and annoyance. It kills the poison and purifies the skin. It is antidote for poisonous substances, and thoroughly sterilizes the skin. It is an unfailing remedy. * * * Ru-Bon No. 2 (is double the strength of No. 3), * * * It kills all germs and poisonous substances; will remove crusty, scaly skin from the head or any part of the body, and leaves the true skin in a healthy condition. * * * after using No. 2 always use No. 3 to heal the skin after eruption has disappeared." Misbranding of the article was alleged in substance in the libel for the reason that certain statements on the labels were false and fraudulent in that certain statements on the labels, cartons, leaflets, and circulars imputed to the article certain curative and therapeutic effects, whereas it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 16, 1928, no claimant having appeared for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16424. Misbranding of Ru-Bon No. 3. U. S. v. 11 Bottles of Ru-Bon No. 3. Default decree of destruction entered. (F. & D. No. 23099. I. S. No. 0613. S. No. 1128.)

On or about September 28, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 bottles of Ru-Bon No. 3, remaining in the original packages at Los Angeles, Calif., alleging that the article had been shipped by the Ru-Bon Chemical Co., from Kansas City, Mo., on or about July 20, 1928, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of resorcin, salicylic acid, chrysarobin, volatile oils including oil of bay, glycerin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements, appearing in the labeling, regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Small circular) "This sheet is intended to answer all questions, and in connection with the circular and directions on carton and bottle, we feel sure that it is possible for anyone to heal eczema, or any skin trouble that infests the human skin, by the proper use of the Ru-Bon remedies. In offering the Ru-Bon Remedies to the public and to those troubled with skin infections, Eczema of any kind or character we write the directions for its use in the plainest way, and tell you if you use it properly, you can relieve and heal any case of Eczema. * * * The Remedy has been tried on all kinds of skin troubles in an intelligent way by good physicians and we tell you in our circulars what it will do. * * * We will give \$100.00 if it is possible to find a case of Eczema that cannot be healed under our Physician's care or under the care of a Physician that thoroughly understands the uses of Ru-Bon and that you can heal yourself at home if you give us a proper diagnosis of your trouble and use the Remedy as directed. The maker of Ru-Bon was troubled with Eczema for 35 years before discovering the Remedy; spent thousands of dollars; used every known Remedy, some soothing, some burning, but every one of them had merit and was put out honestly, and would heal some cases of skin trouble. * * * It was plain to see that in as chronic a case as I had, and after using over 200 bottles of the best known remedy and Psoriasis had spread to cover 1,800 inches of my skin surface that it was necessary to prepare a remedy that would destroy the fungus parasite or germ and when that was done, tone the solution down to a pleasant soothing and * * * giving Nature a chance to grow and purify the skin. * * * Ru-Bon has been successfully and scientifically used on all forms of Eczema, Psoriasis, * * * Mineral itches, * * * that is why we are willing to offer \$100.00 if it is possible to find a case that cannot be healed with the remedy * * * We want everybody to know about Ru-Bon. The best investment one can make is a bottle of No. 3 Ru-Bon. You can never tell when you will get a scratch or burn, or come in contact with some astringent that will poison your skin and cause Eczema. A few drops will take away all soreness or chance of blood poisoning, and the skin will heal. * * * It is not possible to put on the label of bottle, all that should be said about the hundreds of kinds of skin trouble. While the simple word Eczema is meant to cover all skin eruptions, it is necessary to follow the different forms. There are many professional names given to different skin eruptions, and in many cases professionals differ as to the name that should be applied to them. If your trouble is not of long standing, Number 3 Ru-Bon will remove it. * * * apply No. 3 Ru-Bon while skin is moist, until the soreness and swelling is gone. For Weeping or Squamous Eczema * * * apply No. 3 Ru-Bon * * * Continue this until the soreness is gone, then if there are any hard, stubborn spots scratch them and apply Number 3 Ru-Bon. If trouble is of long standing and very stubborn use Number 2 Ru-Bon and alternate with Number 3, * * * For Poison Ivy, Poison Oak, * * * and * * * mineral poisons * * * apply No. 3 Ru-Bon * * * Keep this up until all Dermatitis or swelling is gone. Continue using until the skin is perfect. * * * For Leg Ulcers, sores of any kind * * * bathe with No. 3 Ru-Bon. It has healed many of over 20 years standing, growing a new perfect skin and not leaving a scar. * * * All Eczemas are much harder to control after they have been burned with X-Ray, radium or mineral nitrates, but Ru-Bon will remove the atrophy and heal the skin. * * * No. 3 Ru-Bon until thoroughly healed. For Lupus use No. 2 Ru-Bon, apply 2 or 3 times a day, for 4 or 5 days, then alternate with No. 3. The No. 2 will destroy the Tubercules and No. 3 will heal. When of long standing it will take several months of treatment. For Herpes, use * * * 3. For all Dermatitis * * * For Bunions or Chilblains apply No. 3 Ru-Bon until the soreness is gone, * * * Eczema of the rectum or Itching Piles bathe with No. 3 Ru-Bon, * * * No matter what the cause of your skin trouble, use No. 3 Ru-Bon and get relief. We recommend that for all skin trouble to use No. 3 Ru-Bon, no matter if 20 or 30 years standing, or if your entire skin is covered, or if you have spent hundreds or thousands of dollars or how many times you have been told that you could not be cured, or how many so-called Eczema cures you have used, or how many times you have been burned with X-rays, or how many

health resorts you have been to. * * * It is made * * * to * * * remove all ailments of the skin and leaves it in a healthy condition without a scar. If you had a few drops of Ru-Bon and used it when your Eczema first started you would never have realized that you could have Eczema. There is nothing about Eczema to alarm one, though many have died of internal drugs administered to them. It is not necessary to use any internal medicine with Ru-Bon. * * * Ru-Bon first seeks the cause * * * removes the dead and poisoned skin, destroys the * * * tubercle that causes the itching * * * The trouble will not appear again, unless you cause it by the use of or coming in contact with an astringent that poisons your skin. No matter how long affected or how severe your case, Ru-Bon properly used will clear or purify the skin;" (large circular in carton) "Eczema, Psoriasis, Tetter, Salt Rheum, Intractable Skin Troubles, Seborrhoea, Scaly Dandruff, Poison Oak * * * Stops Soreness and Itching at Once Ru-Bon is the name applied * * * skin-healing Formula. Discovered * * * after 35 years of personal experience with Eczema Psoriasis. To be used Externally, and has been used on the worst cases of skin diseases, including every known ailment of the skin, some of 30 or 40 years' standing, where almost the entire surface was affected. I would not hesitate to offer any amount of reward that there is not a case of Eczema that could not be healed perfectly with Ru-Bon, under our physician's care, and you can do the same at home if you use Ru-Bon * * * If you give us the names of friends troubled with Eczema, we will write them, and if they use Ru-Bon they will thank You. * * * The writer has had a bad case of Eczema on the hands for the past 12 years. * * * Last March I purchased a bottle of Number 3 Ru-Bon; it acted immediately and today I feel that I am entirely cured. Later on I purchased six bottles. * * * In every case Ru-Bon has done the work well. * * * Eczema on my hands for over 15 years and I was compelled to wear gloves or keep them wrapped all the time. * * * did not get relief until I used Ru-Bon. It removed the dead skin and callouses and healed the skin, making them soft and natural. * * * pure and true specific for skin infections, an antidote for poisonous substances. A few drops of No. 3 Ru-Bon used Immediately on any bite, burn, scratch or cut will * * * heal, and if you do not disturb the seal or scab there will not be any soreness. * * * no matter how long standing your skin trouble is, you will be greatly benefited by using Ru-Bon. And if you use it as directed and stick to it, it will not fail to clear your skin of any eruptions. * * * For Weeping Eczema or any form of Eczema where the skin is tender, cracks or blisters, wash as clean as you can * * * Any form of Eczema or skin trouble use Only No. 3 Ru-Bon. Put one teaspoonful in two or three teaspoonfuls of clear water, and bathe the infected spots or parts. * * * For Weeping Eczema or any form of Eczema where the skin is tender, cracks or blisters, wash as clean as you can * * * Any form of Eczema or skin trouble use Only No. 3 Ru-Bon. Put one teaspoonful in two or three teaspoonfuls of clear water, and bathe the infected spots or parts. * * * For Poison Ivy and all Vegetable Poisons, Dermatitis or Swelling * * * For Psoriasis, the most stubborn of all skin troubles, ever resisting treatment. * * * It takes several weeks to remove a stubborn case of Psoriasis and Ru-Bon is the only remedy known that can be relied on to remove it. * * * that same old itch that has kept you scratching perhaps for years, spots that spread like Psoriasis * * * For Lupus—Certain doctors in Germany have been most successful with Lupus. They will not take you under treatment for less than one year to eighteen months. Ru-Bon has done wonders for Lupus, but it will take about 2 years of faithful treatment with No. 2 and 3 Ru-Bon. Erythema—Use No. 3 Ru-Bon. * * * Hives and Rash * * * For all Dermatitis, Swelling of Tender Sores * * * Herpes * * * Seborrhoea, Dandruff, Pityriasis * * * If stubborn sore spots * * * Acne * * * For instance, if you cut or tear your skin let it bleed freely, then press the wound together as well as you can, put a few drops of Ru-Bon on to stop the bleeding * * * In a chronic case of Eczema of long standing, after making a few applications of Ru-Bon and it has begun removing the infected skin, it may seem to you that you are getting worse, but that is just what has to be done in Psoriasis when of long standing. * * * In all cases * * * Ru-Bon will heal your skin. * * * Leg Sores or any old Sores or Cancerous Infections—No. 3 Ru-Bon * * * Granulated Eye-Lids * * * For Pyorrhoea or Sore Mouth * * * It will remove the acid from and tighten the teeth and heal the gums or sore mouth. If Tonsils are sore, put one tablespoonful of No. 3 Ru-Bon with one tablespoonful of clear water and gargle your throat, * * * It will give almost instant relief and a few applications will heal the

tonsils or sore throat. * * * For an antiseptic in all cancerous affections, raw sores and leg ulcers, no matter how long standing; when skin is tender and flesh exposed use No. 3, diluted one-half with distilled water. Ru-Bon used in this way has never failed to heal leg ulcers, some of over 20 years standing. As a preventive from blood poison or gangrene it is a specific * * * The Eczema got so bad he had to quit work. He started to use Ru-Bon and the third day he went to work. He used 15 bottles and has not been bothered for three years. After fighting Psoriasis Eczema for over 30 years * * * Ru-Bon cured me. * * * For Squamous or Weeping Eczema on body, arms or legs, use Ru-Bon No. 3. For Eczema, Tetter on hands, face, head or feet, use Ru-Bon No. 3. For Psoriasis, use * * * 3. For Seborrhoea or Dandruff use No. 3. To stop hair from falling out use No. 3. * * * For Itching Piles, Use No. 3. * * * For Poison Oak and Poison Ivy, use No. 3. * * * Eczema in Crotch or any part of the body, with intensive night itching, use No. * * * 3 * * * destroy the Parasite and heal the skin. For Granulated eyelids, use No. 3. For Hives, use No. 3. To stop all itching, use No. 3. * * * For scaley, itching Fingers or Toes, use No. 3. * * * For Lupus, Use Nos. * * * 3 * * * Eczema, Tetter and Salt Rheum, all mean the same, and all skin troubles are usually called Eczema, and Ru-Bon is made to heal the skin. No matter how bad your case or how long standing, you will get immediate relief, and if it has just started, a few applications will save you great suffering and annoyance. It kills the poison and purifies the skin. It is antidote for poisonous substances, and thoroughly sterilizes the skin. It is an unfailing remedy. * * * It is best to use No. 3; the weakest number first for any kind of skin trouble. It stops all itching, soreness, and heals, and is the only number needed in more than eight out of ten cases. * * * For leg sores No. 3 Ru-Bon * * * has never failed to slough or heal, leaving the skin perfect without a scar. * * * Ru-Bon No. 3 (the weakest number) should be used in all cases of skin trouble and is the only number needed in 80 per cent of the cases. * * * stops all soreness and itching at once; stimulates and heals the skin. * * * Special—Keep a bottle of No. 3 Ru-Bon in the house. Use it for any and all skin trouble. It is the reliable remedy for Poison Oak, any Vegetable, Mineral * * * Poisons. For Burns * * * It stops soreness and the skin will heal. For Granulated or Sore Eyelids, use Ru-Bon No. 3 * * * For Itching Piles and Eczema of the Rectum, use No. 3 * * * In order to find the worst cases possible, we offered for twelve years a reward of \$100 to find a case of Eczema that could not be cured with Ru-Bon;” (carton label) “For Eczema (Chronic or Local), Poison Ivy, Vegetable or Mineral Skin Sores, Tetter, Salt Rheum, * * * Itching Feet. Removes Dandruff. Stops Hair from falling out. For Itching Piles, Leg Ulcers, * * * A valuable household remedy for all skin eruptions. For Pyorrhoea or Sore Mouth. For Dry Scaly Eczema or Psoriasis on body, arms or legs, use Ru-Bon Nos. * * * 3. For Eczema on hands, face, head or feet, use Nos. * * * 3. For Dandruff use No. 3. To stop Hair from falling out use No. 3. For Psoriasis Use Nos. * * * 3. For Hide-Bound Dead Skin on head use No. 3. To Loosen Scale and give Young Roots a chance to grow use No. 3. * * * For Eczema of Rectum * * * 3. For Itching Piles Use No. 3. * * * For Poison Oak or Poison Ivy use No. 3. For Granulated Eyelids use No. 3. * * * For Hives use No. 3. To stop All Itching use No. 3. * * * For Scaly Itching Fingers use No. 3. For Scaly Itching Toes use No. 3. * * * For Lupus use Nos. * * * 3. * * * A true specific skin naturalizer for all rough affected skin, through cleansing and healing, removes all impurities, destroys parasites, and gives nature a chance to restore the skin to its perfection. It will * * * stop hair from falling out;” (leaflet) “For Dry Scaly Eczema of any kind * * * acne * * * use No. 3 Ru-Bon * * * No. 1 and No. 3 Ru-Bon has Never failed to remove Psoriasis, and it is the only remedy Known that can be relied on.”

On October 16, 1928, no claimant having appeared for the property, a decree was entered adjudging the product misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16425. Misbranding of Ru-Bon. U. S. v. 10 Bottles of Ru-Bon No. 2, et al. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 23102. I. S. Nos. 0255, 0256. S. Nos. 1155.)

On September 20, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in

the District Court of the United States for said district a libel praying seizure and condemnation of 10 bottles of Ru-Bon No. 2 and 6 dozen bottles of Ru-Bon No. 3, remaining in the original unbroken packages at Tacoma, Wash., alleging that the article had been shipped by the Ru-Bon Chemical Co., Kansas City, Mo., and transported from the State of Missouri into the State of Washington, arriving at Tacoma on or about August 10, 1928, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Ru-Bon No. 2 consisted essentially of chrysarobin, salicylic acid, resorcin, glycerin, volatile oils including oil of bay, alcohol, and water; and Ru-Bon No. 3 consisted essentially of resorcin, salicylic acid, chrysarobin, volatile oils including oil of bay, glycerin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the labeling were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Ru-Bon No. 2, carton) "A * * * Remedy for Eczema. For all varieties of Eczema, properly defined, whether chronic or acute. * * * For Eczema * * * Use No. 2; * * * For Eczema of Scalp. Use No. 2 * * * For Common Acne and Pimples. Use No. 2; * * * The Ru-Bon compounds, * * * constitute * * * purifiers and naturalizers of skin affections. They have been formulated primarily for Eczemas, the skin diseases commonly so recognized, variously manifested and variously defined;" (bottle label) "For Dry, Stubborn, Chronic Eczema, * * * Acne;" (circular) "The Ru-Bon Remedies. Read * * * The Story of * * * Mr. Minter * * * healing himself of eczema (Psoriasis). The thorough Testing of the prescriptions before offering to the public. The Differentiation of the three prescriptions in the treatment of Eczema. * * * After having been troubled with Eczema for some thirty odd years, I was cured by Ru-Bon * * * I used Remedy No. 2 every night, keeping the eczema spots covered. * * * I was troubled with eczema on my feet for over three years * * * I use Ru-Bon; it cured me in about three weeks, * * * I want those who suffer with eczema to have a chance to get the relief which your remedies will surely give them, * * * I am sending you the worst cases of eczema I know of and hope Ru-Bon may do for each of them what it has done for me. * * * My little girl has Eczema very bad. Mr. Henry Ochner tells me you have a good remedy. * * * The little girl is cured. * * * I have had Eczema on my leg for eighteen months * * * I used two bottles of each, and Ru-Bon remedies cured me. I would take pleasure in recommending them to any one afflicted with eczema, * * * While this is not difficult, the ailments being of common occurrence and of easy recognition, still Eczema, the disease for which this remedy has been primarily formulated, has varied forms and manifestations as it affects various individuals * * * the essential thing being to put the corrective agents contained in Ru-Bon in contact with the roots of the trouble * * * So Ru-Bon No. 2 is the prescription for use when a more vigorous attack upon the disease must be made * * * chronic conditions * * * must be penetrated, resolved and overcome. * * * For crusted, scaled, chronic eczema * * * Tetter, Salt Rheum, Acne. For Resolvent of Dandruff. * * * For common Acne and pimples;" (Ru-Bon No. 3, bottle label) "The Standard Ru-Bon Prescription for Eczema—Tetter, Salt Rheum * * * Leg Ulcers.—For Piles * * * First Aid for Poison Ivy, * * * all Parasitic Affections, * * * Scalds and Burns * * * Resolvent for Dandruff. For 'Weeping' Eczema, poison ivy * * * For Infantile Eczema, and for children in skin affections, * * * For Dandruff * * * For Burns and Scalds;" (small notice) "Number 3 is the weakest number and the only one necessary for 80 per cent of ordinary skin troubles;" (carton) "For Eczema For all varieties of Eczema, properly defined, whether chronic or acute. For relief from Itchings, Eruptions, Salt Rheum * * * First aid for Scalds, Burns, Poison Ivy * * * all parasitic infections. Resolvent of Dandruff. * * * For 'Weeping' Eczema, Poison Ivy or any tender sore skin * * * For Infantile Eczema, and for children in all skin affections * * * For dandruff * * * For burns and scalds. This is the Ru-Bon prescription most commonly used for the usual forms and ordinary cases of Eczema. Unless complicated by formations of hard scales, crusts or callouses, Ru-Bon No. 3 will, unaided by the stronger prescription, cleanse and remove the affections and restore healthy conditions. * * * Ru-Bon No. 3 is likewise used to check the first approaches of Eczema when detected; especially to check developments should symptoms reappear * * * first aid remedy, for parasitic poisons, * * * purifiers * * *

naturalizers of skin affections. They have been formulated primarily for Eczemas, the skin diseases commonly so recognized, variously manifested and variously defined * * * has come recognition of their remarkable properties in treatment of many skin diseases, akin in fact or in popular conception, to that for which they were primarily formulated * * * is peculiarly suited to the ordinary manifestations and course of eczema; * * * Its efficiency in multiplied skin troubles;" (circular) "The Ru-Bon Remedies Read * * * The story of the Discovery and the Development of Ru-Bon by Mr. Minter while healing himself of Eczema (Psoriasis). * * * The Differentiation of the three prescriptions in the treatment of Eczema. * * * I was troubled with Eczema on my feet for over three years; * * * Ru-Bon; it cured me in about three weeks. * * * I have been using Ru-Bon just two weeks; my improvement is wonderful; * * * I rest splendidly at night. * * * You asked me to send you names of persons afflicted with eczema * * * I want those who suffer with eczema to have a chance to get the relief which your remedies will surely give them. * * * I am sending you the worst cases of eczema I know of and I hope Ru-Bon may do for each of them what it has done for me. * * * My little girl has Eczema very bad. Mr. Henry Ochner tells me you have a good remedy. * * * The little girl is cured. * * * I have had Eczema on my leg for eighteen months * * * I used two bottles of each, and Ru-Bon Remedies cured me. I would take pleasure in recommending them to any one afflicted with eczema, * * * While this is not difficult, the ailments being of common occurrence and of easy recognition, still Eczema, the disease for which this remedy has been primarily formulated, has varied forms and manifestations as it affects various individuals. So, though the treatment is in the main the same—the essential thing being to put the corrective agents contained in Ru-Bon in contact with the roots of the trouble. * * * For Eczema * * * for Infantile Eczema * * * for any signs or symptoms of the Return of Eczema after a cure has once been effected. * * * like acute skin affections. For Poison Oak, Poison Ivy—all parasitic poisons, vegetable or otherwise. * * * For all Itching of the skin. * * * Ru-Bon No. 3 * * * is the Standard Prescription for the more usual and tractable manifestation of Eczema. * * * It should be understood and borne in mind that, in some kinds, characters and conditions of the human skin, eczema appears, persists and, even when overcome and eliminated will, unless prevented, recur. Ru-Bon No. 3 is the Prescription to Check and Prevent Recurrences. * * * Users acclaim No. 3 Ru-Bon a sure preventative of recurrences when elimination by it has once been effected." Misbranding was alleged for the further reason that the following statements, borne on the labels, were false and misleading: (Ru-Bon No. 2, circular) "The Ru-Bon Remedies * * * Discovery and Development * * * The story of the discovery, development and formulations of these remedies affords greatest possible assurance of their virtues. Charles D. Minter, maker and proprietor of the Ru-Bon Remedies * * * was for thirty-five years a constant sufferer from psoriasis. * * * he was advised * * * that the home remedy and cure was from poultices made principally of scrapings of rhubarb roots. Acting upon the hint—aided by the suggestion of a pharmacist that if rhubarb in the raw was a specific, a derivative of the herb should be likewise curative—Mr. Minter caused to be worked out a prescription which, modified and remodified upon experimentation, in the course of a few weeks, cleared his skin entirely of psoriasis spots. This explains how the remedies got their name—rhubarb or Ru-Bon;" (Ru-Bon No. 3, circular) "The Ru-Bon Remedies Discovery and Development * * * Charles D. Minter * * * was advised by a chance acquaintance that his trouble was known among common folk as English leprosy and that the home remedy and cure was from poultices made principally of scrapings of rhubarb roots. Acting upon the hint—aided by the suggestion of a pharmacist that if rhubarb in the raw was a specific, a derivative of the herb should be likewise curative—Mr. Minter caused to be worked out a prescription which, modified and remodified upon experimentation, in the course of a few weeks cleared his skin entirely of psoriasis spots. This explains how the remedies got their name—rhubarb or Ru-Bon. * * * It carries in mild but ample strength, reinforced by other ingredients, the essential, distinctive component of Ru-Bon—the herb derivative which made contact and produced the results in Mr. Minter's own case."

On November 12, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16401-16425

	N. J. No.		N. J. No.
Ague tonic:		La Flugo Special cold tablets:	
Akin, W. M., Medicine Co.....	16404	Lincoln Pharmacal Co.....	16418
Amber-O-Latum:		Laxative Anti-Gripine:	
Amber-O-Latum Co.....	16416	Anti-Gripine Co.....	16412
Anti-Gripine:		Liquid Hog Health:	
Anti-Gripine Co.....	16412	General Veterinary Laboratory.....	16417
Arkadin:		Lunge Heala:	
Moscoso Hno. & Co.....	16409	Norwich Pharmacal Co.....	16401
Armistead's, Dr. R. A., ague tonic:		McK & R cold and grippe tablets:	
Akin, W. M., Medicine Co.....	16404	McKesson & Robbins.....	16413
B B headache powders:		Mack's cold capsules:	
Bostwick Bros.....	16414	Pfeiffer, S., Mfg. Co.....	16415
Broncil:		Magnesia, citrate:	
Modern Products Co.....	16406	Meisel, Michael.....	16402
Citrate of magnesia. See Magnesia.		Mones, Benjamin.....	16402
Cod-liver oil tablets:		Mones, L. J.....	16402
Devore Mfg. Co.....	16407	Philadelphia Magnesia Co.....	16402
compound tablets:		Merle's cod-liver oil tablets:	
Morgenstern Co.....	16411	Devore Mfg. Co.....	16407
Cold capsules:		Mintol Vapocream:	
Pfeiffer, S., Mfg. Co.....	16415	American Drug Sales Co.....	16419
tablets:		Nozol:	
Lincoln Pharmacal Co.....	16418	Nozol Co.....	16403
and grippe tablets:		Panacea, Swaim's:	
McKesson & Robbins.....	16413	Wilson, A. S.....	16405, 16420, 16421
Griperol:		Ru-Bon:	
Fajardo, G. J.....	16408	Ru-Bon Chemical Co.....	16422, 16423, 16424, 16425
Headache powders :		Swain's panacea:	
Bostwick Bros.....	16414	Wilson, A. S.....	16405, 16420, 16421
Hog Health:		Vapocream, Mintol:	
General Veterinary Laboratory.....	16417	American Drug Sales Co.....	16419
Jarabe Compuesto Cocillana Tropical:			
American Tropical Remedy Co.....	16410		

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16426-16450

[Approved by the Secretary of Agriculture, Washington, D. C., November 19, 1929]

16426. Adulteration and misbranding of butter. U. S. v. 120 Cases, et al., of Butter. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23603, 23604, 23605. I. S. Nos. 02269 to 05577, incl. S. Nos. 1498, 1499, 1500.)

On or about January 19, 1929, the United States attorney for the Southern District of Florida, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 325 cases and 26 tubs of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Suwannee River Creamery, from Valdosta, Ga., in various consignments on December 29, 1928, January 5, 1929, and January 12, 1929, respectively, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act as amended. The said cases each contained a number of packages of butter, a portion in plain wrappers and the remainder in cartons labeled in part, variously: "One Pound Net Suwannee River Butter, Suwannee River Creamery, Valdosta, Ga.;" "Pure Creamery Monogram Butter Contents 1 Pound Net Weight;" "Packed Expressly for The Elgin Butter Co., * * * Jacksonville, Fla.;" "4 Crown Creamery Butter Contents 1 Pound Net Weight * * * The Elgin Butter Company;" "Sunset Gold Creamery Butter 1 lb. Net Packed in Quarters." A portion of the article was contained in tubs labeled, "Net 63," "63½," "65," etc.

It was alleged in the libels that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the said article purported to be, and in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the article purported to be.

Misbranding was alleged for the reason that the statement "Butter," borne on the packages containing the article, was false and misleading and tended to deceive and mislead the purchaser in that the said statement represented that the article consisted wholly of butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it consisted of a product containing less than 80 per cent by weight of milk fat. Misbranding was alleged with respect to 10 cases of Suwannee River butter, 11 cases of Crown creamery butter, 52 cases of Sunset Gold butter, and 28 cases of plain wrapped packages containing butter for the further reason that the article was food in package form and did not bear a statement of the quantity of the contents plainly and conspicuously marked on the outside of the packages, since the packages were short weight.

On January 28, 1929, the Suwannee River Creamery, Valdosta, Ga., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon the execution of good and sufficient bonds, conditioned in part that it be reworked and reconditioned so that it comply in all respects with the Federal food and drugs act, both as to quality and labels.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16427. Misbranding and alleged adulteration of vinegar. U. S. v. 7 Cases of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22674. I. S. No. 23585-x. S. No. 710.)

On or about March 29, 1928, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 cases of vinegar at Eau Claire, Wis., alleging that the article had been shipped by the Red Wing Food Products Co., Red Wing, Minn., February 15, 1928, and transported from the State of Minnesota into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that an acid product other than apple cider vinegar had been mixed and packed with and substituted in part for apple cider vinegar, and in that the said article had been colored in a manner whereby its inferiority had been concealed.

Misbranding was alleged for the reason that the label of the article bore the statement, "Ecco Brand Apple Cider Vinegar," which label was false and misleading and deceived and misled the purchasers in that the said article did not comply with the said statements, since it contained an acid product other than apple cider vinegar.

On May 14, 1928, the Red Wing Food Products Co., Red Wing, Minn., having appeared as claimant for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16428. Adulteration and misbranding of tomato puree. U. S. v. 75 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23640. I. S. No. 03027. S. No. 1879.)

On April 19, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 75 cases of tomato puree, remaining in the original unbroken packages at Poughkeepsie, N. Y., alleging that the article had been shipped from Laurel, Del., by Thos. J. Meehan & Co., on or before December 7, 1928, and transported from the State of Delaware into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tomato Puree Packed by Davis Canning Co., Laurel, Delaware, U. S. A. Pure Food Law Requirements Guaranteed."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the statement on the label, "Pure Food Law Requirements Guaranteed," was false and misleading and deceived and misled the purchaser.

On May 16, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16429. Adulteration and misbranding of vinegar. U. S. v. 10 Cases of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23567. I. S. No. 09417. S. No. 1823.)

On or about April 4, 1929, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of vinegar, remaining in the original unbroken packages at Duquoin, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., from St. Louis, Mo., on or about July 28, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Cases) "2 Doz. Pints Apple Vinegar Top Notch Brand;" (bottles) "Top Notch Vinegar One Pint Evaporated Apple Reduced to 4% Acid Strength Packed by L. Maull Co., St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that an imitation product other than apple vinegar had been mixed and packed with and substituted in part for the pure article and had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the above-quoted labels bore statements which were false and misleading and deceived and misled the purchasers, and in that the article was an imitation of and was offered for sale under the distinctive name of another article.

On May 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16430. Misbranding and alleged adulteration of apple butter. U. S. v. 20 Cases of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22923. I. S. No. 01429. S. No. 989.)

On July 27, 1928, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 20 cases of apple butter, remaining in the original unbroken packages at Centralia, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., St. Louis, Mo., on or about May 5, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended. The said cases each contained a number of jars labeled in part: "Somore Brand Pure Apple Butter Net Weight 38 Ounces Packed By L. Maull Co., St. Louis, Mo." The cases were labeled in part: "1 Doz. 38 Oz. Apple Butter."

It was alleged in the libel that the article was adulterated in that the said cases contained a food product in which an artificial color had been mixed and packed with and substituted in part for the pure article, and in which the article had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the above-quoted labels bore statements which were false and misleading and deceived and misled the purchasers, and in that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 6, 1929, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture. It was further ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16431. Adulteration of sweet pickles. U. S. v. 13¼ Cases of Sweet Pickles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22894. I. S. No. 01427. S. No. 964.)

On July 21, 1928, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13¼ cases of sweet pickles, remaining in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., from St. Louis, Mo., on or about May 17, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Top Notch Pickles One Quart Sweet Packed by L. Maull Co., St., Louis, Mo."

It was alleged in the libel that the article was adulterated in that a substance, to wit, saccharin, had been mixed and packed with the said article so as to reduce or lower or injuriously affect its quality or strength, and in that a deleterious ingredient, saccharin, had been added which might have rendered the article injurious to health.

On May 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16432. Adulteration of shell eggs. U. S. v. J. H. McCarty (J. H. McCarty Produce Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 23713. I. S. Nos. 0816, 0821.)

On April 1, 1929, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. H. McCarty, trading as J. H. McCarty Produce Co., Tupelo, Miss., alleging shipment by said defendant, in violation of the food and drugs act, in two consignments, on or about July 20, 1928, and July 23, 1928, respectively, from the State of Mississippi into the State of Alabama, of quantities of shell eggs which were adulterated. The article was labeled in part: "From J. H. McCarty Produce Co."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy and decomposed and putrid animal substance.

On April 1, 1929, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16433. Misbranding of dairy feed. U. S. v. 65 Sacks of Dairy Feed. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 22699. I. S. No. 20381-x. S. No. 739.)

On April 16, 1928, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 65 sacks of dairy feed, remaining in the original unbroken packages at Harrisonburg, Va., alleging that the article had been shipped by the Deal Bros. Milling Co., from Cumberland, Md., March 16, 1928, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was misbranded in that the statements, "100 Lbs. Net When Packed, Jersey Dairy Feed, 16% Analysis Protein 16%, * * * Fiber 12%, Manufactured by the Deal Bros. Milling Co., Cumberland, Maryland," borne on the label, were false and misleading and deceived and misled the purchaser in that the purchaser was led to believe by the said label that the article contained 16 per cent of protein, whereas it contained considerably less than 16 per cent of protein, and in that the statement "Fiber 12%" was false in that the article contained fiber in a greater amount than 12 per cent.

On October 23, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16434. Adulteration and misbranding of feed. U. S. v. 79 Sacks of Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23065. I. S. No. 02229. S. No. 1149.)

On or about September 17, 1928, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 79 sacks of feed, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Carolina Milling Co. (Inc.), from Dillon, S. C., on or about July 13, 1928, and transported from the State of South Carolina into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "C. M. Horse and Mule Feed Manufactured by Carolina Milling Co., Inc., Dillon, South Carolina Guaranteed Analysis: Protein 10% Fat 2½%, * * * Contents Corn, Oats, Alfalfa, Oat Shorts, Oat Middlings, Cotton-seed Meal, Molasses 1% Salt."

It was alleged in the libel that the article was adulterated in that oatmeal mill by-product consisting largely of oat hulls, with some oat middlings and oat shorts, deficient in protein and fat, had been substituted in part for the said article and had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statement on the label, "Guaranteed analysis: Protein 10% Fat 2½%," was false and misleading and deceived and misled the purchaser when applied to an article containing less than 10 per cent of protein and less than 2½ per cent of fat; and in that the

statements "Contents Corn, Oats, Alfalfa, Oat Shorts, Oat Middlings, Cottonseed Meal, Molasses 1%," deceived and misled the purchaser when applied to an article which contained no oats and did not consist exclusively of these ingredients, but contained in addition a material proportion of oatmeal mill by-product.

On October 16, 1928, the Carolina Milling Co. (Inc.), Dillon, S. C., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of costs and the execution of a bond in the sum of \$300, or the deposit of collateral in like amount, conditioned in part that it be relabeled to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16435. Adulteration of chickens. U. S. v. 4 Barrels of Chickens. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 22886. I. S. Nos. 02803, 02804. S. No. 947.)

On July 19, 1928, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 barrels of chickens at Albany, N. Y., alleging that the article had been shipped by the Armour Creameries, from Denison, Iowa, in part June 12, and in part June 26, 1928, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal and of an animal unfit for food.

On September 13, 1928, Morris & Co., Albany, N. Y., having intervened and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16436. Adulteration and misbranding of cheese. U. S. v. 30 Boxes of Cheese. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 23684. I. S. No. 03789. S. No. 1934.)

On May 7, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 boxes of cheese, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Purity Creamery Co., from Ashland, Wis., on or before April 4, 1929, and transported from the State of Wisconsin into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "14 B Purity Cry. Co. Ashland, Wis."

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 28, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to a charitable institution.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16437. Misbranding of alfalfa meal. U. S. v. 400 Sacks of Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23568. I. S. No. 0923. S. No. 1828.)

On or about April 3, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of alfalfa meal, remaining in the original packages at New Orleans, La., alleging that the article had been shipped by the Lamar Alfalfa Milling Co., Lamar Colo., on or about February 9, 1929, and transported from the State of Colorado into the State of Louisiana, and charg-

ing misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Alfalfa Meal 100 Pounds When Packed Made By The Lamar Alfalfa Milling Company, Lamar Colorado."

It was alleged in the libel that the article was short weight, and was misbranded in that the statement "100 Pounds," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On April 4, 1929, the Lamar Alfalfa Milling Co., Lamar, Colo., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,300, conditioned in part that the said sacks of alfalfa meal be relabeled with their correct weights.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16438. Misbranding of poultry greens. U. S. v. 450 Sacks of Poultry Greens. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23775. I. S. No. 04280. S. No. 1977.)

On May 20, 1929, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 450 sacks of poultry greens, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the California Mealalfa Co., Dixon, Calif., on or about February 11, and March 12, 1929, and transported from the State of California into the State of Virginia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Mealalfa Poultry Greens Guaranteed Analysis Protein 19% Min. Fibre 20% Max. Manufactured by California Mealalfa Co., Dixon, Cal."

It was alleged in the libel that the article was misbranded in that the statements on the labels, "Guaranteed Analysis Protein 19% Min. Fibre 20% Max.," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 3, 1929, the Carter Venable Co., Richmond, Va., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16439. Misbranding of fine ground alfalfa meal. U. S. v. 270 Sacks of Fine Ground Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23638. I. S. No. 06080. S. No. 1877.)

On or about April 19, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 270 sacks of fine ground alfalfa meal, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the California Hawaiian Milling Co., from San Francisco, Calif., March 29, 1929, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Fine Ground Alfalfa Meal * * * Crude Protein, not less than 16.00 * * * Manufactured by California Hawaiian Milling Co., * * * San Francisco, Cal."

It was alleged in the libel that the article was misbranded in that the statement "Crude Protein, not less than 16.00," borne on the label, was false and misleading and deceived and misled the purchaser.

On May 6, 1929, the California Hawaiian Milling Co., San Francisco, Calif., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a

bond in the sum of \$1,000, conditioned in part that it should not be sold or disposed of until relabeled to conform to the requirements of the Federal food and drugs act and inspected and approved by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16440. Misbranding of cooking compound. U. S. v. 26 Cases of Cooking Compound. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23329. I. S. No. 07410. S. No. 1447.)

On January 14, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 cases of cooking compound, remaining unsold in the original packages at Chicago, Ill., alleging that the article had been shipped by the Gold Coin Creamery Co., Denver, Colo., January 8, 1929, and transported from the State of Colorado into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

It was alleged in substance in the libel that the article was misbranded in that the cartons containing the said article were labeled as follows: "1 Pound Net Weight Penobscot Nut Product For Best Cooking and Baking Danish Packing Co. Ltd. Providence, R. I. U. S. A. Artificially Colored," which said statements were false and misleading and deceived and misled the purchaser in that the statement "1 Pound Net Weight" represented that each of said cartons contained 1 pound net of the product, whereas each of said cartons contained less than 1 pound net of the said product. Misbranding was alleged for the further reason that the article, being in package form, did not have a statement of the contents plainly and conspicuously marked on the outside of the carton in terms of weight and measure.

During the March term, 1929, the Danish Packing Co. (Ltd.), claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of costs and the execution of a bond in the sum of \$1,000, the terms of said bond requiring that the product be reconditioned under the supervision of the department so that each carton contain 1 pound net weight of the article.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16441. Misbranding of cottonseed meal. U. S. v. 180 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23268. I. S. No. 04735. S. No. 1381.)

On December 21, 1928, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 180 sacks of cottonseed meal, remaining in the original unbroken packages at Denver, Colo., consigned by the Stamford Cotton Oil Mill, Stamford, Tex., alleging that the article had been shipped from Stamford, Tex., on or about November 23, 1928, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cottonseed Cake or Meal Prime Quality Crude Protein 43 Per Cent, Rule-Jayton Cotton Oil Co., Manufacturers of Cottonseed Products, General Office, Stamford, Texas."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Protein 43 Per Cent," was false and misleading and deceived and misled the purchaser when applied to a product deficient in protein and not containing 43 per cent of protein.

On March 11, 1929, the Rule-Jayton Cotton Oil Co., Stamford, Tex., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be relabeled, under the supervision of this department to show the true protein content, upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act or the laws of the State of Colorado.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16442. Adulteration and misbranding of strawberry and raspberry flavors. U. S. v. Sethness Co. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 22569. I. S. Nos. 14477-x, 14478-x.)

On September 10, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sethness Co., a corporation, Chicago, Ill., alleging shipment by said company under the name of the Sunlite Laboratories, in violation of the food and drugs act as amended, on or about August 24, 1927, from the State of Illinois into the State of Wisconsin, of quantities of strawberry and raspberry flavors which were adulterated and misbranded. The articles were labeled in part: (Jugs) "Super Concentrated Strawberry (or "Raspberry") Manufactured By Sunlite Laboratories, Chicago, Illinois."

It was alleged in the information that the articles were adulterated in that artificially flavored imitation products had been substituted for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Super Concentrated Strawberry" and "Super Concentrated Raspberry," borne on the labels of the respective products, were false and misleading in that the said statements represented that the articles consisted wholly of strawberry, or raspberry, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they consisted wholly of strawberry, or raspberry, as the case might be, whereas they did not so consist, but did consist in whole and in part of artificially flavored imitation products which contained little or no strawberry or raspberry. Misbranding was alleged for the further reason that the articles were artificially flavored products prepared in imitation of and offered for sale and sold under the distinctive names of other articles, namely, super concentrated strawberry and super concentrated raspberry. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 1, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16443. Adulteration of dressed chickens. U. S. v. 4 Barrels, et al., of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 23093, 23094. I. S. Nos. 01947, 01948. S. No. 1185.)

On or about September 22, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., consigned by the R. E. Cobb Co., St. Paul, Minn., alleging that the article had been shipped in part from Litchfield, Minn., and in part from St. Paul, Minn., August 27, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It is alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it consisted in part of a diseased animal.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16444. Adulteration of canned sardines. U. S. v. 15 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23008. I. S. No. 02497. S. No. 1097.)

On or about September 7, 1928, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of sardines, remaining in the original unbroken packages at Winchester, Va., alleging that the article had been shipped by the Ramsdell Packing Co., from Lubec, Me., August 11, 1928, and transported from the State of Maine into the State of Virginia, and charging adulteration in

violation of the food and drugs act. The article was labeled in part: "Rameco Brand Sardines Packed by Ramsdell Packing Co., Lubec, Maine."

It was alleged in the libel that the article was adulterated in that it contained in whole or in part a decomposed animal substance.

On October 23, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16445. Adulteration and misbranding of cloves and pepper. U. S. v. 9 Cases of Cloves, et al. Default decree of forfeiture and destruction. (F. & D. No. 22628. I. S. Nos. 23217-x, 23218-x. S. No. 667.)

On March 9, 1928, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 9 cases of cloves and 9 cases of white pepper, remaining in the original unbroken packages at Fort Smith, Ark., alleging that the articles had been shipped by the Biston Coffee Co., from St. Louis, Mo., in part October 31, 1927, and in part November 4, 1927, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part: (Cans) "Polar Bear * * * Cloves (or "White Pepper") Net Weight 1½ Oz."

It was alleged in the libel that the articles were adulterated in that foreign substances had been substituted wholly or in part for the said articles and had been mixed and packed therewith so as to reduce and lower and injuriously affect the quality and strength of the said cloves and pepper.

Misbranding was alleged in substance for the reason that the labels of the said articles were calculated to mislead the purchaser in that the articles contained foreign substances and were not pure cloves or pepper, and for the further reason that they were sold under the distinctive names of other articles. Misbranding of the pepper was alleged for the further reason that the said cans did not contain 1½ ounces of pepper, and the statement "1½ Oz." was false and misleading to the purchaser thereof.

On January 21, 1929, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16446. Adulteration and misbranding of potatoes. U. S. v. 1 Carload of Potatoes. Product ordered released to be relabeled. (F. & D. No. 23444. I. S. No. 0483. S. No. 1575.)

On or about February 25, 1929, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of potatoes, remaining in the original unbroken packages at Miami, Fla., alleging that the article had been shipped by Jim Kimball, from Kimberly, Idaho, on or about February 1, 1929, and transported from the State of Idaho into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "U. S. No. 1."

It was alleged in the libel that the article was adulterated in that potatoes of an inferior quality and of a lower grade than U. S. No. 1 had been mixed and packed with and substituted wholly for the said article.

Misbranding was alleged for the reason that the statement, borne on the sacks, "U. S. No. 1," was false and misleading and deceived and mislead the purchaser.

On March 1, 1929, the Orange Belt Produce Co., Miami, Fla., having appeared as claimant for the property, it was ordered and decreed by the court that the product be released to the said claimant. It was further ordered that the claimant remove the present grade marks before any sale or disposition be made of the product.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16447. Misbranding and alleged adulteration of vinegar. U. S. v. 30 Barrels, et al., of Vinegar. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22811, 22962. I. S. Nos. 23668-x, 01926. S. Nos. 850, 1029.)

On June 6 and August 7, 1928, respectively, the United States attorney for the Southern District of Iowa, acting upon reports by the Secretary of Agriculture

ture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 43 barrels of vinegar, remaining unsold in the original packages at Davenport, Iowa, alleging that the article had been shipped by the Central City Pickle Co., from Peoria, Ill., in part on or about September 21, 1927, and in part on or about December 30, 1927, and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Morton L. Marks Co., Davenport, Iowa, IXL Brand Reduced Apple Cider Vinegar."

Adulteration was alleged in the libel with respect to a portion of the article for the reason that an acid product other than cider vinegar and an ash material had been mixed and packed with and substituted in part for the said article. Adulteration was alleged with respect to the remainder of the said article in that an acid product other than cider vinegar and an ash material were present therein.

Misbranding was alleged for the reason that the statement on the barrels, "Apple Cider Vinegar," was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On November 1, 1928, the Central City Pickle Co., Peoria, Ill., having appeared as claimant for the property and having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture. It was further ordered by the court that the product be released to the said claimant, upon payment of costs and the execution of bonds totaling \$1,000, for the purpose of relabeling and rebranding under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16448. Misbranding of cottonseed meal and cake. U. S. v. 390 Sacks of Cottonseed Meal, et al. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. Nos. 23228, 23230, 23252. I. S. Nos. 07401, 04718, 04761. S. Nos. 1334, 1341, 1364.)

On December 10 and December 17, 1928, respectively, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District court of the United States for said district libels praying seizure and condemnation of 990 sacks of cottonseed meal and cake, remaining in the original unbroken packages in various lots at Denver, Lamar, and La Junta, Colo., respectively, consigned by the Continental Oil Cotton Co., Colorado, Tex., alleging that the articles had been shipped from Colorado, Tex., in various consignments on or about November 10, November 20, and November 27, 1928, respectively, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "43 Per Cent Protein Cottonseed Cake (or "Meal") Manufactured by Continental Oil Cotton Company, Colorado, Texas, * * * Crude Protein Not Less Than 43 Per Cent."

It was alleged in the libels that the articles were misbranded in that the statements "43 Per Cent Protein" and "Crude Protein Not Less Than 43 Per Cent," borne on the labels, were false and misleading, and deceived and misled the purchaser, since the said articles did not contain 43 per cent of protein.

On December 27, 1928, the Continental Oil Cotton Co., Colorado, Tex., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of bonds totaling \$1,000, conditioned in part that they should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16449. Adulteration of canned sardines. U. S. v. 11 Cases of Canned Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22989. I. S. No. 02912. S. No. 1054.)

On August 21, 1928, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cases of canned sardines at Perth Amboy, N. J., alleging that the article had been shipped by H. F. Sawyer & Son, Vinalhaven, Me., on or about July 2, 1928, and transported from the State of Maine into the State of

New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Three Star Brand American Sardines in Cotton Seed Oil Packed by H. F. Sawyer & Son, Vinalhaven, Maine."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On March 4, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16450. Misbranding of potatoes. U. S. v. 300 Sacks of Potatoes. Product released under bond. (F. & D. No. 23376. S. No. 1519.)

On February 1, 1929, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of potatoes, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Jim Kimball, Kimberly, Idaho, January 25, 1929, and transported from the State of Idaho into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "U. S. Grade No. 1 Selected Idaho Potatoes."

It was alleged in the libel that the article was misbranded in violation of section 8 of said act in that it consisted of potatoes of a grade or grades lower than U. S. No. 1.

On February 25, 1929, O. Steinberg, Kimberley, Idaho, having appeared as claimant for the property, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned as provided by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16426-16450

Alfalfa meal. <i>See</i> Feed.	N. J. No.
Apple butter:	
Maull, L., Co. Food Products Co.....	16430
Butter:	
Suwannee River Creamery.....	16426
Cheese:	
Purity Creamery Co.....	16436
Chickens:	
Armour Creameries.....	16435
dressed:	
Cobb, R. E., Co.....	16443
Cloves. <i>See</i> Spices.	
Cooking compound:	
Gold Coin Creamery Co.....	16440
Cottonseed meal. <i>See</i> Feed.	
Dairy feed. <i>See</i> Feed.	
Eggs:	
McCarty, J. H.....	16432
McCarty, J. H., Produce Co.....	16432
Feed:	
Carolina Milling Co.....	16434
alfalfa meal:	
California Hawaiian Milling Co.....	16439
Lamar Alfalfa Milling Co.....	16437
cottonseed cake:	
Continental Oil Cotton Co.....	16448
cottonseed meal:	
Continental Oil Cotton Co.....	16448
Rule-Jayton Cotton Oil Co.....	16441
Stamford Cotton Oil Mill.....	16441
dairy:	
Deal Bros. Milling Co.....	16433
poultry greens:	
California Mealfalfa Co.....	16438
Fish—	
sardines:	N. J. No.
Ramsdell Packing Co.....	16444
Sawyer, H. F., & Son.....	16449
Flavors:	
Sethness Co.....	16442
Sunlite Laboratories.....	16442
Pepper. <i>See</i> Spices.	
Pickles, sweet:	
Maull, L., Co. Food Products Co.....	16431
Potatoes:	
Kimball, Jim.....	16446, 16450
Poultry greens. <i>See</i> Feed.	
Puree. <i>See</i> Tomato puree.	
Raspberry flavors:	
Sunlite Laboratories.....	16442
Sethness Co.....	16442
Sardines. <i>See</i> Fish.	
Spices—	
cloves:	
Biston Coffee Co.....	16445
pepper:	
Biston Coffee Co.....	16445
Strawberry flavors:	
Sethness Co.....	16442
Sunlite Laboratories.....	16442
Tomato puree:	
Meehan, T. J., & Co.....	16428
Vinegar:	
Central City Pickle Co.....	16447
Maull, L., Co. Food Products Co.....	16429
Red Wing Food Products Co.....	16427

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16451-16475

[Approved by the Secretary of Agriculture, Washington, D. C., November 19, 1929]

16451. Adulteration of butter. U. S. v. 8 Cases of Butter. Decree of condemnation entered. Product released under bond. (F. & D. No. 23810. I. S. No. 07630. S. No. 1930.)

On April 29, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Swift & Co., Enid, Okla., on or about April 16, 1929, and transported from the State of Oklahoma into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Retail carton) "Brookfield Pasteurized Creamery Butter * * * Distributed by Swift & Company."

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 28, 1929, Swift & Co., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned that it be reworked to comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16452. Adulteration of canned tomatoes. U. S. v. 1000 Cases of Canned Tomatoes. Decree of condemnation and destruction entered with respect to unfit portion. Remainder ordered released to claimants. (F. & D. Nos. 22110, 22111, 22112. I. S. No. 5947-x. S. No. 146.)

On October 24, 1927, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 cases of canned tomatoes, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Ocean View Canning Co. (Inc.), from Frankford, Del., September 22, 1927, and transported from the State of Delaware into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ocean View Brand Tomatoes, * * * Packed by Ocean View Canning Co., Inc., Ocean View, Del."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

The Ocean View Canning Co. (Inc.), Ocean View, Del., and John S. McDaniel & Co. (Inc.), Buffalo, N. Y., appeared as claimants for the property and on June 27, 1928, an order was issued by the court permitting claimants to inspect and separate from the product the portion unfit for human con-

sumption. On June 20, 1929, judgment was entered ordering condemnation and destruction of the 59 cases unfit for human consumption, and it was further ordered by the court that the remainder be released to the claimants.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16453. Adulteration of walnut meats. U. S. v. 50 Cases of Walnut Meats. Product ordered released under bond to be salvaged. (F. & D. No. 23593. I. S. No. 07104. S. No. 1812.)

On April 9, 1929, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by Leon Mayer, from Los Angeles, Calif., on or about March 19, 1929, and transported from the State of California to the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "From Bagley Nelson, Los Angeles, Cal. to Bagley Nelson, Salt Lake City, Utah. Special Standard Pieces."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 27, 1929, Leon Mayer, Los Angeles, Calif., having appeared as claimant for the property, and having paid the costs of the proceedings and filed a bond in the sum of \$870, conditioned in part that the product should not be sold or disposed of contrary to law, judgment was entered ordering that the said product be released to the claimant to be sorted under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16454. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Product ordered released under bond. (F. & D. No. 23809. I. S. No. 09564. S. No. 1987.)

On May 13, 1929, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 462 boxes of oranges at Omaha, Nebr., alleging that the article had been shipped by the California Fruit Growers Exchange, from Elmirador, Calif., on or about May 4, 1929, and transported from the State of California into the State of Nebraska, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gold Coast Brand * * * Chapman Orchards Company, Elmirador, California."

It was alleged in the libel that the article was adulterated in that a large proportion of the oranges were decomposed as the result of having been tree frosted.

On May 15, 1929, the California Fruit Growers Exchange, having appeared as claimant for the property, judgment was entered ordering that the product be released to the said claimant for the purpose of shipping the oranges to Chicago, Ill., for salvaging and the removal and destruction of the decomposed fruit. On May 25, 1929, the decree of May 15 was modified so that in lieu of destroying the decomposed oranges, the claimant might manufacture orange juice therefrom under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16455. Misbranding of butter. U. S. v. 15 Cases of Cresta Creamery Butter. Decree of condemnation entered. Product released under bond. (F. & D. No. 23811. I. S. Nos. 07576, 07577. S. No. 1849.)

On March 12, 1929, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of butter, remaining in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by Swift & Co., Fort Worth, Tex., in part February 7, 1929, and in part February 27, 1929, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail cartons) "Cresta Creamery Butter One Pound Net Distributed by Swift & Company;" (shipping cases) "Cresta Creamery Butter 32 Lbs. Net Swift & Co., Shreveport, La., * * * One Lb. Prints in One Lb. Cartons" (or "Quarter Lb. Prints in One Lb. Cartons").

It was alleged in the libel that the article was misbranded in that the packages and the labels on the packages and cartons containing the article bore statements, namely, "One Lb. Prints in One Lb. Cartons" and "Quarter Lb. Prints in One Lb. Cartons," which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents of each carton was not plainly and conspicuously marked on the outside thereof, since the quantity of food contained in the said carton was less than the quantity represented on the label.

On or about March 15, 1929, Swift & Co., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be removed from the deceptive cartons and packed in bulk and reshipped to the claimant at Fort Worth, Tex., there to be repacked in compliance with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16456. Adulteration and alleged misbranding of butter. U. S. v. 14 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23804. I. S. No. 07625. S. No. 1923.)

On or about April 15, 1929, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 cases of butter, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the David Cole Creamery Co., Omaha, Nebr., on or about March 26, 1929, and transported from the State of Nebraska into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Elegant Creamery Butter Quarter Prints * * * Farmers' Co-operative Creamery Co. One Pound Net."

It was alleged in the libel that the article was deficient in butterfat, did not comply with the standard established by Congress, and was short weight. Adulteration of the article was alleged in that a substance deficient in butterfat had been mixed and packed with it, so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article in that the statement "One Pound Net" was false and misleading and deceived and misled the purchaser, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated on the package was not correct.

On April 19, 1929, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, a decree was entered finding the product adulterated and ordering its condemnation, and it was further ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$400, conditioned in part that it be reworked under the supervision of this department and should not be sold or disposed of until it contains more than 80 per cent of butterfat and complies with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16457. Adulteration of walnut meats. U. S. v. 8 Boxes of Walnut Meats. Decree of condemnation entered. Product released upon deposit of collateral. (F. & D. No. 23770. I. S. No. 07799. S. No. 1957.)

On May 18, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 boxes of walnut meats, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Southern California Supply Co., from Los Angeles, Calif., March 3, 1929, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Invincible Brand * * * Distributed by the Southern California Supply Co., Inc., Los Angeles, California."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 21, 1929, the Oscar Lucks Co., Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libel and paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning under the supervision of this department, upon deposit of collateral security in the sum of \$250 to insure compliance with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16458. Adulteration of walnut meats. U. S. v. 22 Cases of Walnut Meats. Decree of condemnation entered. Product released upon deposit of collateral. (F. & D. No. 23771. I. S. No. 07800. S. No. 1958.)

On May 18, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cases of walnut meats, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the California Walnut Growers Association, from Los Angeles, Calif., and transported from the State of California into the State of Washington, arriving at Seattle on or about December 4, 1928, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 21, 1929, the Oscar Lucks Co., Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libel and paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning under the supervision of this department, upon deposit of collateral security in the sum of \$250 to insure compliance with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16459. Misbranding of butter. U. S. v. 25 Cases of Butter, et al. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23805. I. S. Nos. 07580, 07581, 07582, 07583. S. No. 1850.)

On March 12, 1929, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 44 cases of butter, remaining in the original unbroken packages at Shreveport, La., alleging that the article had been shipped by the Fort Smith Creamery Co., from Fort Smith, Ark., in various lots on February 6, February 25, March 4, and March 6, 1929, respectively, and transported from the State of Arkansas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail carton) "1 Lb. Net Weight."

It was alleged in the libel that the article was misbranded in that the statement "1 Lb. Net Weight," borne on the packages containing the said article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents of each carton was not plainly and conspicuously marked on the outside thereof, since the quantity of food contained therein was less than the quantity labeled and represented on the said carton.

On or about March 14, 1929, the Fort Smith Creamery Co., Fort Smith, Ark., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be reshipped to the claimant at Fort Smith, Ark., and removed from the deceptive cartons and repacked in compliance with the requirements of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16460. Adulteration of butter. U. S. v. 33 Cubes of Butter. Decree of condemnation entered. Product released on deposit of collateral security. (F. & D. No. 23808. I. S. No. 07881. S. No. 1912.)

On April 18, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 33 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Corvallis Co., Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving at Seattle on or about April 11, 1929, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On April 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning, reweighing, and relabeling under the supervision of this department, upon deposit of collateral in the sum of \$100 to insure that the product be disposed of in accordance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16461. Adulteration of butter. U. S. v. 256 Cubes of Butter. Decree of condemnation entered. Product released upon deposit of collateral security. (F. & D. No. 23807. I. S. No. 07798. S. No. 1928.)

On or about April 23, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 256 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Swift & Co., Billings, Mont., and transported from the State of Montana into the State of Washington, arriving at Seattle on or about April 17, 1929, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Swift & Company Produce Plant Billings, Mont."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On April 25, 1929, Swift & Co., claimant, having admitted the allegations of the libel and having paid the costs of the proceedings, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant for reconditioning, reweighing, and relabeling under the supervision of this department, upon deposit of collateral in the sum of \$500 to insure its disposition in accordance with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16462. Adulteration and misbranding of butter U. S. v. 49 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23803. I. S. No. 03844. S. No. 1942.)

On April 30, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 49 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Universal Carloading & Distributing Co., from Davenport, Iowa, on or before April 19, 1929, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 10, 1929, the Gilt Edge Creamery Co., Plainfield, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,750, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16463. Adulteration and misbranding of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23802. I. S. No. 03845. S. No. 1941.)

On April 30, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Alta Vista Farmers Creamery Association, from Alta Vista, Iowa, on or before April 24, 1929, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 15, 1929, the New Hampton Farmers Creamery Association, New Hampton, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$800, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16464. Adulteration of apples. U. S. v. 1 Carload of Apples. Default decree of sale entered. (F. & D. No. 23554. S. No. 1805.)

On March 21, 1929, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of apples at Newton, Kans., alleging that the article had been shipped by the Charles Schoenig Orchard Co., from Grand Junction, Colo., on or about March 14, 1929, and transported from the State of Colorado into the State of Kansas, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient, to wit, a compound of arsenic and lead, which might have rendered it injurious to health.

On March 26, 1929, the defendant having abandoned the property, it was adjudged and decreed by the court that the United States marshal put the product in cold storage, and that he cause the apples to be wiped to comply with the law and sold.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16465. Misbranding of oleomargarine. U. S. v. 150 Cases of Oleomargarine. Product adjudged misbranded and released under bond. (F. & D. No. 23596. I. S. No. 07873. S. No. 1843.)

On or about April 8, 1929, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 cases of oleomargarine, remaining in the original unbroken packages at Boise, Idaho, alleging that the article had been shipped by Swift & Co., from Portland, Oreg., on or about March 25, 1929, and transported from the State of Oregon into the State of Idaho, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Gem-Nut Margarine 1 Pound Net Oleomargarine * * * Manufactured by Swift & Company."

It was alleged in substance in the libel that the article was shipped in interstate commerce in violation of paragraphs 2 and 4 of section 8 of said act in that the cartons were short weight, and the statement "One Pound Net" on the label, was false and misleading and deceived and misled the purchaser. Further violation of the act was alleged in that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents.

On April 19, 1929, Swift & Co., having appeared as claimant for the property, a decree was entered adjudging the product misbranded in respect to the weight of the contents, and it was ordered by the court that the said product be released to the claimant upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16466. Adulteration of canned shrimp. U. S. v. 200 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23662. I. S. No. 0323. S. No. 1907.)

On April 25, 1929, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 cases of canned shrimp, remaining in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped by the Dorgan McPhillips Packing Corporation, from Biloxi, Miss., on or about January 18, 1929, and transported from the State of Mississippi into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Alabama Brand Extra Fancy Selected Shrimp, Alabama Best, Packed by Dorgan McPhillips Packing Corporation, Mobile, Ala."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

On May 20, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16467. Adulteration and misbranding of butter. U. S. v. 27 Boxes of Butter. Decree of condemnation and forfeiture. Product released on deposit of collateral. (F. & D. No. 23618. I. S. Nos. 05830, 05831. S. No. 1780.)

On March 11, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 27 boxes of butter, remaining in the original unbroken packages at Boston, Mass., consigned about February 25, 1929, alleging that the article had been shipped by the White Mountain Creamery Co., New Bremen, Ohio, and transported from the State of Ohio into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended. Twenty-five cases of the article were labeled in part: (Shipping package) "1/2 Lb. Plain;" (wrapper) "8 Oz. Net Weight." The remainder of the said article bore no statements of the quantity of contents on the labeling.

It was alleged in the libel that the product contained in the said 25 cases was adulterated in that a substance containing less than 80 per cent by weight of milk fat had been substituted in whole or in part for butter, which the article purported to be, the act of Congress of March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

Misbranding of the product in the said 25 cases was alleged for the reason that the statement "8 Oz. Net Weight," borne on the labels, was false and misleading in that the said statement represented that each of the packages contained 8 ounces full weight of butter, and in that the said statement was intended to deceive and mislead the purchaser into the belief that each of said packages contained 8 ounces full weight of butter, whereas said packages contained a less amount. Misbranding was alleged with respect to the product contained in the remaining two cases for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 19, 1929, the White Mountain Creamery Co., New Bremen, Ohio, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of \$300 in lieu of bond in that sum, conditioned in part that the 25 cases of the product be reworked so that it contain at least 80 per cent of butterfat, and the two cases be relabeled so that the true quantity of the article appear plainly and conspicuously on the container.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16468. Adulteration of butter. U. S. v. 34 Tubs of Butter. Judgment for the Government. Product released under bond. (F. & D. No. 22898. I. S. No. 15994-x. S. No. 935.)

On or about June 21, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 34 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Beatrice Creamery Co., from Dubuque, Iowa, June 13, 1928, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce and injuriously affect its quality and strength, in that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, in that a valuable constituent of the article, to wit, butterfat, had been in part abstracted from the article, and in that it contained less than 80 per cent of butterfat.

On March 23, 1929, the Beatrice Creamery Co., Chicago, Ill., having appeared as claimant for the property, judgment was entered in favor of the Government, and it was ordered by the court that the product be released to the said claimant upon its giving due and proper security to the United States marshal, and upon its paying all costs including the cost of repacking and reworking the product under the supervision of this department so that it be made to comply with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16469. Misbranding of Mealfalfa poultry greens. U. S. v. 1000 Sacks of Mealfalfa Poultry Greens. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23656. I. S. No. 06082. S. No. 1861.)

On April 25, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 sacks of Mealfalfa poultry greens at Baltimore, Md., alleging that the article had been shipped by the California Mealfalfa Co., from San Francisco, Calif., on or about March 27, 1929, and transported from the State of California into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Mealfalfa Poultry Greens * * * Guaranteed Analysis: Protein 20% min. Fibre 18 max."

It was alleged in the libel that the article was misbranded in that the statement "Guaranteed Analysis: Protein 20% min. * * * Fibre 18% max.," borne on the label, was false and misleading and deceived and misled the purchaser when applied to an article containing a less amount of protein and a greater amount of fiber. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 8, 1929, the Carter Venable Co. (Inc.), Richmond, Va., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$4,800, conditioned in part that it should not be sold or disposed of until relabeled to show the correct chemical ingredients and net weight.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16470. Adulteration and misbranding of canned tomatoes. U. S. v. 1000 Cases, et al., of Canned Tomatoes. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23642, 23644, 23650, 23651. I. S. Nos. 03245, 03300, 08001, 08002, 08006. S. Nos. 1880, 1881, 1890.)

On April 20 and April 22, 1929, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 2,357 cases of canned tomatoes, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Frankford Canning Co., Frankford, Del., alleging that the article had been shipped from Frankford, Del., in various consignments, between the dates

of October 3, 1928, and February 9, 1929, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Delaware Brand Tomatoes, Packed by Frankford Canning Co."

It was alleged in the libels that the article was adulterated in that a substance derived from tomato skins and cores had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statement "Tomatoes" and the design or device showing cut of a red ripe tomato, borne on the label, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 7, 1929, T. A. James & Co., and S. H. Levin's Sons, of Philadelphia, Pa., having appeared as claimants for respective portions of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$4,800, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16471. Adulteration of canned spinach. U. S. v. 23 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23778. I. S. No. 08068. S. No. 1983.)

On May 21, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cases of canned spinach, remaining in the original unbroken packages at Easton, Pa., consigned by the Comstock Canneries (Inc.), Marion, N. Y., alleging that the article had been shipped from Marion, N. Y., on or about February 5, 1929, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Secco Brand Spinach * * * Guaranteed and Distributed by S. E. Comstock Canning Co., * * * Newark, New York."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On June 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16472. Misbranding of olive oil. U. S. v. James Mallars, Samuel T. Mallars, and Nick Scropos (Mallars & Co.). Plea of guilty. Fine, \$100. (F. & D. No. 23708. I. S. Nos. 19393-x to 19397-x, incl.)

On March 9, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Mallars, Samuel T. Mallars, and Nick Scropos, copartners, trading as Mallars & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the food and drugs act as amended, in various consignments, on or about November 29, 1927, March 28, 1928, and April 9, 1928, respectively, from the State of Illinois into the State of Indiana, of quantities of olive oil which was misbranded. The article was labeled in part: "Contents 1 Gallon (or 'Contents ½ Gallon') * * * Athlete Brand Pure Olive Oil * * * Imported And Packed By Mallars & Company Chicago—Peraeus."

It was alleged in the information that the article was misbranded in that the statements "Contents 1 Gallon" and "Contents ½ Gallon," borne on the respective sized cans containing the said article, were false and misleading in that the said statements represented that the cans contained 1 gallon or one-half gallon, as the case might be, of olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained 1 gallon or one-half gallon, as the case might be, of olive oil, whereas the cans did not contain the declared amount, but did contain a less amount. Misbranding was alleged for the further reason

that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 1, 1929, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16473. Adulteration of shell eggs. U. S. v. 15 Cases of Eggs. Default order of destruction entered. (F. & D. No. 23613. I. S. No. 01309. S. No. 1813.)

On March 2, 1929, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cases of eggs at Minneapolis, Minn., alleging that the article had been shipped by George Berzel, from Dickinson, N. Dak., on or about February 15, 1929, and transported from the State of North Dakota into the State of Minnesota, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 12, 1929, no claimant having appeared for the property, upon the execution of an affidavit by the assistant United States attorney that the product was wholly unfit for consumption as food, it was ordered by the court that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16474. Adulteration of butter. U. S. v. 15 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23806. I. S. No. 07797. S. No. 1929.)

On April 22, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 15 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Stillwater County Creamery Co., Columbus, Mont., and transported from the State of Montana into the State of Washington, arriving at Seattle on or about April 18, 1929, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On May 7, 1929, the Stillwater County Creamery Co., Columbus, Mont., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be reconditioned to conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16475. Adulteration and misbranding of Chickfalfa. U. S. v. 500 Sacks of Chickfalfa. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23208. I. S. No. 0168. S. No. 1311.)

On or about December 8, 1928, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 sacks of Chickfalfa, remaining in the original packages at Brooklyn, N. Y., alleging that the article had been shipped by Russel & Macaulay, Sacramento, Calif., on or about November 10, 1928, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Chickfalfa * * * Manufactured by Russel & Macaulay, Sacramento, Calif., Guaranteed Analysis: Crude Protein, not less than 20%, * * * Crude Fiber, not more than 18%."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein and containing an excessive amount of fiber had been substituted in part for the said article and had been mixed and packed with it so as to reduce and lower its quality and strength.

Misbranding was alleged for the reason that the statements "Crude Protein, not less than 20%," "Crude Fiber, not more than 18%," borne on the label,

were false and misleading and deceived and misled the purchaser when applied to an article deficient in protein and high in fiber. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On January 31, 1929, Joshua A. Barry, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be relabeled under the supervision of this department in part as follows: "Crude Protein, not less than 16.5% * * * Crude Fiber, not more than 22%."

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16451-16475

Apples:	N. J. No.	Mealfalfa poultry greens. <i>See</i> Feed.	N. J. No.
Schoenig, Chas., Orchard Co.....	16464	Nuts—	
Butter:		walnut meats:	
Alta Vista Farmers Creamery Assoc....	16463	California Walnut Growers Assoc.....	16458
Beatrice Creamery Co.....	16468	Mayer, Leon.....	16453
Cole, David, Creamery Co.....	16456	Southern California Supply Co.....	16457
Corvallis Co.....	16460	Oleomargarine:	
Fort Smith Creamery Co.....	16459	Swift & Co.....	16465
Stillwater County Creamery Co.....	16474	Olive Oil:	
Swift & Co.....	16451, 16455, 16461	Mallars & Co.....	16472
Universal Carloading & Distributing		Mallars, James.....	16472
Co.....	16462	Mallars, S. T.....	16472
White Mountain Creamery Co.....	16467	Scropos, Nick.....	16472
Chickfalfa. <i>See</i> Feed.		Oranges:	
Eggs:		California Fruit Growers Exchange..	16454
Berzel, George.....	16473	Poultry greens. <i>See</i> Feed.	
Feed—		Shrimp. <i>See</i> Fish.	
Chickfalfa: §		Spinach, canned:	
Russel & Macaulay.....	16475	Comstock Canneries.....	16471
Mealfalfa poultry greens:		Tomatoes, canned:	
California Mealfalfa Co.....	16469	Frankford Canning Co.....	16470
Fish—		Ocean View Canning Co.....	16452
shrimp, canned:		Walnut meats. <i>See</i> Nuts.	
McPhillips, Dorgan, Packing Corp....	16466		

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16476-16500

[Approved by the Secretary of Agriculture, Washington, D. C., November 19, 1929]

16476. Adulteration of walnut meats. U. S. v. 10 Cases of Walnut Meats. Default decree of destruction entered. (F. & D. No. 23396. I. S. No. 0529. S. No. 1598.)

On February 11, 1929, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by Marston & Co., from Los Angeles, Calif., on or about January 29, 1929, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "From Marston & Co., Los Angeles, * * * Amber Halves and Quarters."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On May 25, 1929, no claimant having appeared for the property, judgment was entered by the court ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16477. Adulteration of canned mackerel. U. S. v. 1000 Cases of Canned Mackerel. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23349. I. S. No. 040. S. No. 1491.)

On January 26, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 cases of canned mackerel, remaining in the original packages at San Francisco, Calif., consigned by Menzi & Co. (Inc.), Manila, P. I., alleging that the article had been shipped from Manila, P. I., into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "California Leader Mackerel * * * Packed Salmon Style M. Feibusch Distributor San Francisco, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 24, 1929, M. Feibusch, San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of costs and the execution of a bond in the sum of \$1,900, conditioned in part that it be made by the claimant to conform with the provisions of the Federal food and drugs act under the direction of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16478. Misbranding of tomato catsup. U. S. v. 498 Cases of Tomato Catsup. Product ordered released under bond. (F. & D. No. 23633. I. S. No. 04975. S. No. 1625.)

On April 16, 1929, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 498 cases of tomato catsup at Tulsa, Okla., alleging that the article had been shipped by the Mid-West Food Packers, of Marion, Ind., from Fowlerton, Ind., on or about September 17, 1928, and transported from the State of Indiana into the State of Oklahoma, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Polar Bear Brand * * * Pure Tomato Catsup. No Artificial Coloring or Preservative Used."

It was alleged in the libel that the said interstate shipment of the article was in violation of paragraphs 2 and 4 of section 8 of the act in that artificial coloring was present in each of said bottles of tomato catsup.

On June 26, 1929, the Griffin-Goodner Grocery Co., Tulsa, Okla., having appeared as claimant for the property and having admitted that the article was misbranded, and the said claimant having paid costs and filed a bond in the sum of \$100, conditioned that the product would not be sold or otherwise disposed of contrary to the Federal food and drugs act, it was ordered by the court that the said product be delivered to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16479. Misbranding of coffee. U. S. v. 4 Cases of Coffee. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23661. I. S. Nos. 07351, 07351. S. No. 1902.)

On April 27, 1929, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 cases of coffee, remaining in the original unbroken packages at Sheridan, Wyo., alleging that the article had been shipped by the Northwestern Distributing Co., Billings, Mont., on or about April 12, 1929, and transported from the State of Montana into the State of Wyoming, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sawyer Brand Roasted Coffee * * * Roasted and especially packed for J. M. Sawyer Company Net Contents 1 Pound" (or "Net Contents 2½ Pounds").

It was alleged in the libel that the article was misbranded in that it was labeled so as to deceive and mislead the purchaser, in that each of the cans containing the article was labeled "1 Pound" or "2½ Pounds," as the case might be, whereas each of said cans contained less than so labeled. Misbranding was alleged for the further reason that the article was in package form and the contents of each of the said cans were not plainly and correctly stated on the outside of said can or package, in that the contents of the smaller-sized cans were stated as "1 Pound," and the contents of the larger-sized cans were stated to be "2½ Pounds," whereas the said smaller cans contained less than 1 pound of coffee and the said larger cans contained less than 2½ pounds of coffee.

On May 1, 1929, the Northwestern Distributing Co., Billings, Mont., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16480. Adulteration and misbranding of strawberry jelly and misbranding of raspberry, blackberry, and loganberry preserves. U. S. v. 2 Cases of Strawberry Jelly, et al. Default decree of condemnation and forfeiture. Product ordered destroyed or delivered to charitable institutions. (F. & D. No. 23621. I. S. Nos. 07801, 07802, 07834, 07850. S. No. 1860.)

On April 15, 1929, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2 cases of strawberry jelly, and 5 cases of raspberry, blackberry, and loganberry preserves, remaining in the original unbroken packages at Portland, Ore., alleging that the articles had been shipped by C. R. Merrifield & Co., from Seattle, Wash., in various consignments, on or about January 23, 1929, February 21, 1929, and March 15, 1929, respectively, and transported from the State of Washington into the State of Oregon, and charging adulteration and misbranding with respect to the strawberry jelly, and misbranding with respect to the raspberry, blackberry, and loganberry preserves, in violation of the

food and drugs act as amended. The said jelly was labeled in part: (Jars) "Merrifield's Net Weight 8 Oz. Strawberry Jelly * * * C. R. Merrifield & Co., Seattle, Wash." The said preserves were labeled in part: (Glasses) "Merro Brand Net Weight 8 Oz. Raspberry (or "Blackberry" or "Loganberry") Preserves Apple Base Manufactured by C. R. Merrifield & Co., Seattle, Wash."

It was alleged in the libel that the strawberry jelly was adulterated in that a substance deficient in fruit juice had been mixed and packed with and substituted in part for strawberry jelly, which the article purported to be.

Misbranding of the strawberry jelly was alleged for the reason that the statements "Strawberry Jelly" and "Absolutely Pure" were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article. Misbranding was alleged with respect to all products for the reason that the statement "Net Weight 8 Oz.," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On June 17, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the United States marshal destroy or distribute the products to charitable institutions.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16481. Adulteration of mushrooms. U. S. v. 50 Cases of Mushrooms. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23676. I. S. No. 03026. S. No. 1834.)

On April 30, 1929, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of mushrooms at Jersey City, N. J., alleging that the article had been imported from Riga, Latvia, into the State of New Jersey, on or about February 29, 1928, having been shipped by the Centrosojus Trading Co., Riga, Latvia, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On June 21, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16482. Adulteration of raisins. U. S. v. A. W. Walsh Co. Plea of guilty. Fine, \$100. (F. & D. No. 23739. I. S. No. 25959-x.)

On June 24, 1929, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. W. Walsh Co., a corporation, Kalamazoo, Mich., alleging shipment by said company, in violation of the food and drugs act, on or about May 15, 1928, from the State of Michigan into the State of Illinois, of a quantity of raisins which were adulterated.

It was alleged in the information that the article was adulterated in that it consisted in part of filthy, decomposed, and putrid vegetable and animal substances.

On June 28, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16483. Adulteration and misbranding of chocolate pralines. U. S. v. 30 Boxes of Chocolate Pralines. Default decree of condemnation, forfeiture, and destruction. (F. D. No. 23677. I. S. No. 03042. S. No. 1925.)

On May 3, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 boxes of chocolate pralines, remaining in the original unbroken packages

at Stamford, Conn., alleging that the article had been shipped by the Aliko Candy Co., from New York, N. Y., on or about April 3, 1929, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Aliko Chocolate Pralines Liquid Filled with Port Wine, Sherry Wine, Rum, Kummel, Creme de Menthe, Flavoring, Mfgd. under Prohibition Permit N. Y. * * * For Aliko Chocolate Co., Inc., New York, N. Y."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act, in the case of confectionery, in that it contained vinous or spirituous liquor or compound.

Misbranding was alleged for the reason that the statement "Chocolate Pralines," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16484. Adulteration of butter. U. S. v. North American Creamery Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 23711. I. S. No. 21689-x.)

On May 28, 1929, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the North American Creamery Co., a corporation, Paynesville, Minn., alleging shipment by said company, in violation of the food and drugs act, on or about February 27, 1928, from the State of Minnesota into the State of Massachusetts, of a quantity of butter which was adulterated.

It was alleged in the libel that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the said article purported to be.

On May 28, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16485. Adulteration of fig bars. U. S. v. 17 Cases of Tru Blu fig bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos 22461, 22462. I. S. Nos. 13239-x, 13243-x. S. No. 572.)

On February 15, 1928, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of Tru-Blu fig bars, remaining in the original unbroken packages, in part at Pocatello, Idaho, and in part at Idaho Falls, Idaho, alleging that the article had been shipped by the Tru Blu Biscuit Co., Spokane, Wash., on or about January 16, 1928, and transported from the State of Washington into the State of Idaho, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tru-Blu Fig Bars, Tru-Blu Biscuit Co., Spokane and Portland."

It was alleged in the libel that the article was adulterated in that the said fig bars were wormy, filthy, decomposed, and putrid.

On July 11, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16486. Adulteration and misbranding of apple jelly. U. S. v. 23 Cans of Apple Jelly. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23320. I. S. No. 02421. S. No. 1432.)

On January 11, 1929, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 cans of apple jelly, remaining in the original unbroken packages at Fairfield, Me., consigned by A. T. Bridges Co. (Inc.), Boston,

Mass., alleging that the article had been shipped from Boston, Mass., on or about September 14, 1928, and transported from the State of Massachusetts into the State of Maine, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "A. T. Bridges Co. Incorporated * * * Boston, Mass. Apple Jelly."

It was alleged in the libel that the article was adulterated in that pectin jelly containing added acid had been mixed and packed therewith, so as to reduce and lower its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement on the label, "Apple Jelly," was false and misleading and deceived and misled the purchaser, for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that the article was offered for sale under the distinctive name of another article.

On April 2, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16487. Adulteration of dried figs. U. S. v. 100 Cases of Dried Figs. Consent decree of destruction entered. (F. & D. No. 23201. I. S. No. 0644. S. No. 1302.)

On November 19, 1928, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of dried figs, remaining in the original packages at Los Angeles, Calif., alleging that the article had been shipped by the Contadina Oil Products Corporation, from Brooklyn, N. Y., on or about October 20, 1928, and transported from the State of New York into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Product of Greece M. B. New York. Basile J. Pappadeas, Exporter of Greek Products, Calamata, Greece, Order of Contadina Oil Products Co., Notify Tama Trading Co., Los Angeles, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance and contained live larvae.

On May 29, 1929, the Tama Trading Co., Los Angeles, Calif., having appeared as claimant for the property and having consented to the destruction of the product, judgment was entered ordering that the said product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16488. Adulteration of sweet pickles. U. S. v. 36 Cases, et al., of Sweet Pickles. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23063, 23064. I. S. Nos. 012879, 012880. S. Nos. 1120, 1157.)

On or about September 17 and September 24, 1928, respectively, the United States attorney for the Southern District of Indiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States libels praying seizure and condemnation of 171 cases of sweet pickles, remaining in the original unbroken packages, in part at Evansville, Ind., and in part at Vincennes, Ind., alleging that the article had been shipped by the Southern Mfg. Co., St. Louis, Mo., July 27, 1928, and transported from the State of Missouri into the State of Indiana, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Sunset Park Brand Sweet Pickles 0.1 of 1% Benzoate of Soda Contents 8 Oz." The remainder of the said article was labeled in part: "Fort Sackville Brand Sweet Pickles 0.1 of 1% Benzoate of Soda Contents 32 Ozs."

It was alleged in the libels that the article was adulterated in that saccharin had been mixed and packed with and substituted in part for the said article, for the further reason that saccharin had been mixed with the article in such manner as to render them inferior in quality and to conceal such inferiority and for the further reason that a deleterious ingredient had been added to the article which rendered it injurious to health.

On May 11, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16489. Adulteration and misbranding of standard middlings. U. S. v. 1400 Sacks of Stock Feed. Consent decree of condemnation. Product released under bond. (F. & D. No. 23848. I. S. Nos. 013351, 013352, 013353. S. No. 1480.)

On December 21, 1928, the United States attorney for the Southern District of Mississippi, acting upon a report by the Commissioner of Agriculture of the State of Mississippi, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,400 sacks of stock feed, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Hogan Feed Mill Co. (Inc.) (Hogan Millfeed Co.), Kansas City, Mo., on or about December 1, 1928, and transported from the State of Missouri into the State of Mississippi, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article had been invoiced as standard middlings.

It was alleged in the libel that the article was adulterated in that it was an admixture of ground bran, ground screenings, ground limestone and flour, which said admixture had been substituted wholly and in part for the article.

Misbranding was alleged for the reason that the article was an imitation of and had been offered for sale under the distinctive name of another article, to wit, standard middlings, and for the further reason that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On or about January 3, 1929, the Hogan Millfeed Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$4,000, conditioned in part that it should not be used, sold, or disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16490. Adulteration of chickens. U. S. v. 2 Boxes, et al., of Chickens. Consent decree of condemnation and destruction. (F. & D. Nos. 22885, 22887. I. S. Nos. 02805, 02806. S. Nos. 952, 953.)

On July 19, 1928, the United States attorney for the Northern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2½ boxes of chickens at Albany, N. Y., alleging that one-half box of the article had been shipped by Priebe & Son, from Chicago, Ill., in interstate commerce into the State of New York, on June 23, 1928, and that 2 boxes thereof were shipped by the F. M. Stamper Co., from Fayette, Mo., in interstate commerce into the State of New York, on July 3, 1928, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article contained in the said 2 boxes was adulterated in violation of section 7 of the act, paragraph 6, in the case of food, in that the contents of the said 2 boxes showed the presence of tubercular disease, and consisted in part of a product of a diseased animal and of a portion of an animal unfit for food. Adulteration was alleged with respect to the portion of the article contained in the said one-half box for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, and in that it was a product of a diseased animal and of an animal unfit for food.

On September 13, 1928, Wilson & Co., Albany, N. Y., having voluntarily intervened and consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16491. Adulteration of butter. U. S. v. 36 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23033. I. S. No. 053. S. No. 981.)

On July 16, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and

condemnation of 36 cubes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Cudahy Packing Co., from East Portland, Oreg., July 3, 1928, and transported from the State of Oregon into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat, to wit, containing less than 80 per cent of milk fat, had been substituted wholly or in part for the said article, and in that a valuable constituent, namely, butterfat, had been in part abstracted therefrom.

On July 21, 1928, the Cudahy Packing Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,100, conditioned in part that it be made to conform to the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16492. Misbranding of butter. U. S. v. 309 Cases, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23030, 23036, 23037. I. S. Nos. 026, 027, 029, 030, 031, 032, 057, 058. S. Nos. 982, 1018, 1033.)

On July 16 and July 25, 1928, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 480 cases of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Miles City, Mont., by the Armour Creameries, in part on June 30, 1928, and in part on July 4, 1928, and had been transported from the State of Montana into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was contained in cartons or wrapped in parchment wrappers labeled in part, variously: "Armour's Cloverbloom Pasteurized Creamery Butter," "Armour's Cloverbloom * * * Creamery Butter," "Highest Grade Cloverbloom Brand Creamery Butter," "Made from Fancy Pasteurized Cream," "This butter is made from pure pasteurized cream," "Another Morris Delicacy Supreme * * * Morris & Company—Distributors," and "Morris' Supreme Pasteurized Creamery Butter." The said cartons and wrappers were further labeled with statements of the weight of the contents thereof, "One Pound Net Weight," "Two Pounds Net Weight, etc."

It was alleged in the libels that the article was misbranded in that the statements, "One Pound Net Weight," "Two Pounds Net Weight," "Net Weight One Pound," "Net Weight Two Pounds," "1 Lb. Net Weight," "2 Lbs. Net Weight," and "4 Ozs. Net Weight," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantities stated on the various labels were incorrect.

On July 19, 1928, and July 28, 1928, respectively, Armour & Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$12,000, conditioned in part that it be made to conform to and with the provisions of the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16493. Adulteration of fava beans. U. S. v. 500 Bags of Fava Beans. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23468. S. No. 1262.)

On February 25, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 bags of fava beans, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from

Italy, on or before August 20, 1928, into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of wormy, weevil-damaged, and moldy beans, and consisted in part of a filthy vegetable substance.

On March 5, 1929, Musco & Sclafani, New York, N. Y., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of costs and the execution of a bond in the sum of \$2,000, or the deposit of cash in like amount, conditioned in part that it be exported to a foreign country under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16494. Adulteration of canned raspberries. U. S. v. 60 Cases of Raspberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23594. I. S. No. 03831. S. No. 1842.)

On April 9, 1929, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 cases of raspberries, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Jay H. Pratt & Co. (Inc.), Forestville, N. Y., October 18, 1928, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunrise Brand Red Pie Raspberries in Water Fancy Pack."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 14, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16495. Adulteration of tomato catsup. U. S. v. 5 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23392. I. S. No. 01403. S. No. 1583.)

On February 13, 1929, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of tomato catsup, remaining in the original unbroken packages at Lampasas, Tex., alleging that the article had been shipped by the Mid-Mountain Fruit Co., Bentonville, Ark., on or about September 24, 1928, and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Mid-Mountain Brand Tomato Catsup * * * Packed by Mid-Mountain Fruit Co., Bentonville, Ark."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16496. Adulteration of canned shrimp. U. S. v. 10 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22816. I. S. No. 11976-x. S. No. 856.)

On June 11, 1928, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of canned shrimp at Youngstown, Ohio, alleging that the article had been shipped by the James Teteak Co., Chicago, Ill., on or about March 24, 1927, and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Standard Shrimp, Marine Products Incorporated, New Orleans, La., Distributors."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 10, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16497. Adulteration and misbranding of tomato catsup. U. S. v. 105 Cases of Tomato Catsup. Decree of condemnation entered. Product released under bond. (F. & D. No. 23357. I. S. Nos. 013021, 013022. S. No. 1510.)

On January 31, 1929, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 105 cases of tomato catsup, remaining unsold in the original unbroken packages at Louisville, Ky., consigned by the Naas Corporation, Sunman, Ind., alleging that the article had been shipped from Sunman, Ind., on or about October 18, 1928, and transported from the State of Indiana into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Monogram Brand Tomato Catsup * * * Made from Fresh Ripe Tomato Slices."

It was alleged in the libel that the article was adulterated in that a substance, artificial color, had been mixed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the designation "Tomato Catsup made from Fresh Ripe Tomato Slices" was false and misleading in that artificial coloring matter had been used therein. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of "Tomato Catsup made from Fresh Ripe Tomato Slices," whereas artificial coloring matter had been used.

On July 6, 1929, Knadler & Lucas, Louisville, Ky., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled, under the supervision of this department, to show the presence of artificial coloring.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16498. Misbranding of butter. U. S. v. 100 Cases, et al., of Butter. Decree of condemnation entered. Product released under bond. (F. & D. No. 23812. I. S. Nos. 010, 07805. S. No. 1891.)

On April 10, 1929, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases and 15 boxes of butter, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Portland, Oreg., April 4, 1929, by the Armour Creameries, and transported from the State of Oregon into the State of California, and charging misbranding in violation of the food and drugs act as amended. A portion of the articles was labeled in part: (Cases) "CB 1/4 Pounds;" (cartons) "One Pound Net Weight Armour's Cloverbloom Pasteurized Creamery Butter." The remainder of the said article was labeled in part: (Boxes) "Plain 1/4 Parch Armour & Co. S. F. Churn F. 3;" (wrappers) "Net Wt. Four Ounces."

It was alleged in the libel that the article was misbranded in that the statements "One Pound Net Weight" and "Net Wt. Four Ounces," with respect to a portion of the product, and "Net Wt. Four Ounces," with respect to the remainder thereof, were false and misleading and deceived and misled the purchaser, since the packages contained lesser quantities. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On April 15, 1929, Armour & Co., San Francisco, Calif., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,500, conditioned in part that it be reworked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16499. Adulteration and misbranding of linseed meal. U. S. v. 16 Sacks of Linseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22407. I. S. No. 18701-x. S. No. 496.)

On January 28, 1928, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 sacks of linseed meal, remaining in the original unbroken packages at Williamsport, Pa., alleging that the article had been shipped by the Mann Bros. Co., from Buffalo, N. Y., on or about October 29, 1927, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "34% Protein Pure Old Process Linseed Meal The Mann Bros. Co. Buffalo, N. Y. Minimum Protein 34%."

It was alleged in the libel that the article was adulterated in that a substance deficient in protein had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement, "34% Protein Pure Old Process Linseed Meal Minimum Protein 34%," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16500. Adulteration of canned sardines. U. S. v. 130 Cases of Sardines. Consent decree of destruction entered. (F. & D. No. 23769. I. S. No. 012509. S. No. 1970.)

On May 13, 1929, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 130 cases of sardines, remaining in the original unbroken packages at Selma, Ala., alleging that the article had been shipped by the Brawn Co., Portland, Me., January 29, 1929, and transported from the State of Maine into the State of Alabama, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Commercial Brand American Sardines * * * Packed by the Brawn Co., Portland, Maine."

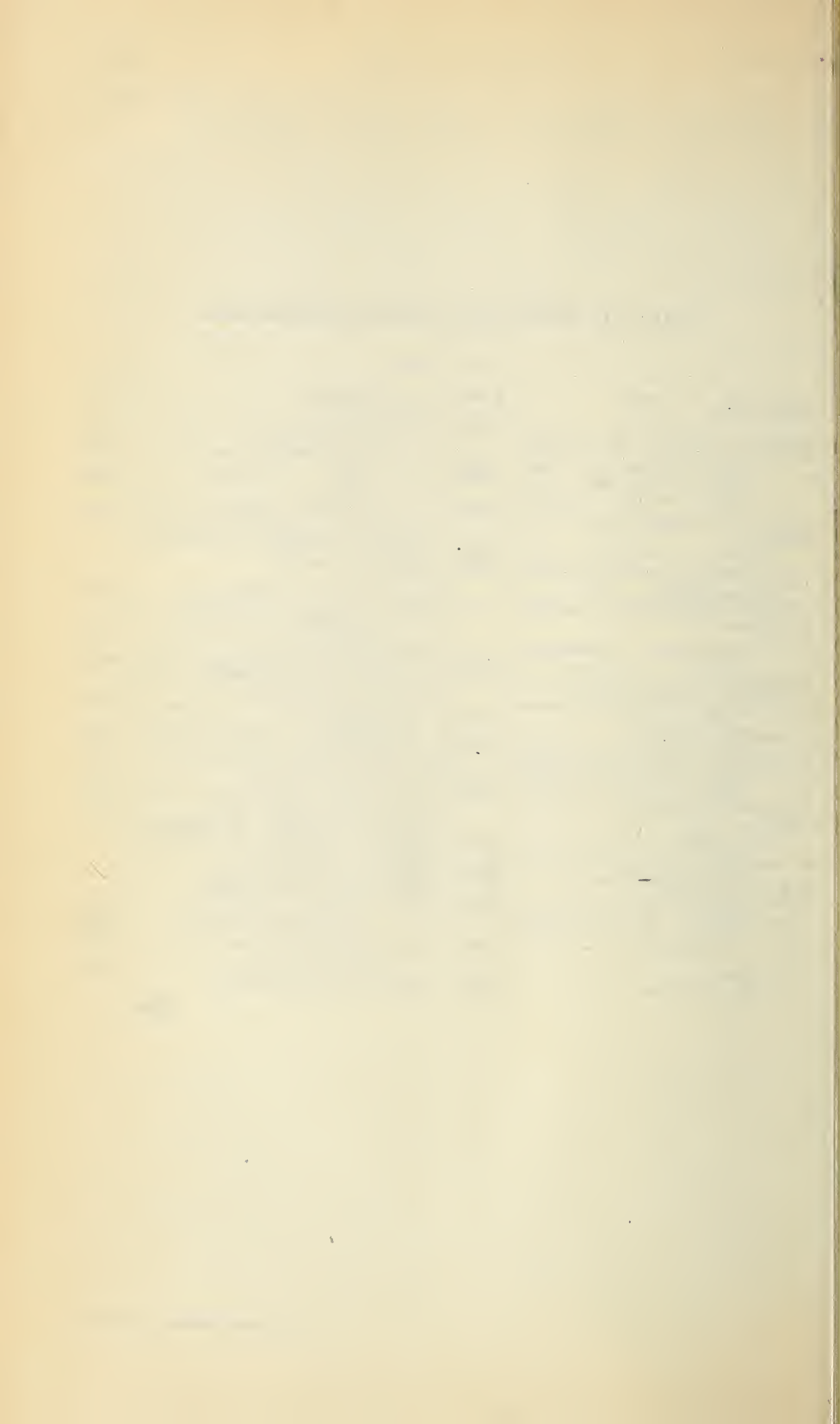
It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On June 7, 1929, the consignees and a representative of the shipper having appeared and requested the destruction of the said sardines, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16476-16500

Apple jelly. <i>See</i> Jelly.	N. J. No.	Fish—Continued.	N. J. No.
Beans, fava : _____	16493	sardines :	
Blackberry preserves. <i>See</i> Preserves.		Brawn Co. _____	16500
Butter :		shrimp, canned :	
Armour Creameries. _____	16492, 16498	Teteak, Jas., Co. _____	16496
Cudahy Packing Co. _____	16491	Jelly, apple :	
North American Creamery		Bridges, A. T., Co. _____	16486
Co. _____	16484	strawberry :	
Catsup. <i>See</i> Tomato catsup.		Merrifield, C. R., & Co. _____	16480
Chickens :		Linseed meal. <i>See</i> Feed.	
Priebe & Son. _____	16490	Loganberry preserves. <i>See</i> Preserves.	
Stamper, F. M., Co. _____	16490	Mackerel. <i>See</i> Fish.	
Chocolate pineapple hearts. <i>See</i>		Middlings. <i>See</i> Feed.	
Confectionery.		Mushrooms :	
coated pineapple cores. <i>See</i> Con-		Centrosojus Trading Co. _____	16481
fectionery.		Nuts—	
Coffee :		walnut meats :	
Northwestern Distributing		Marston & Co. _____	16476
Co. _____	16479	Pickles, sweet :	
Confectionery—		Southern Mfg. Co. _____	16488
chocolate pineapple hearts :		Pralines. <i>See</i> Confectionery.	
Sphinx Chocolate Corpora-		Preserves, blackberry :	
tion. _____	16492	Merrifield, C. R., & Co. _____	16480
chocolate pralines :		loganberry :	
Aliko Candy Co. _____	16483	Merrifield, C. R., & Co. _____	16480
chocolate coated pineapple cores :		raspberry :	
Sphinx Chocolate Corpora-		Merrifield, C. R., & Co. _____	16480
tion. _____	16492	Raisins :	
Fava beans. <i>See</i> Beans.		Walsh, A. W., Co. _____	16482
Feed—		Raspberries, canned :	
linseed meal :		Pratt, J. H., & Co. _____	16494
Mann Bros. Co. _____	16499	Raspberry preserves. <i>See</i> Preserves.	
middlings :		Sardines. <i>See</i> Fish.	
Hogan Millfeed Co. _____	16489	Shrimp. <i>See</i> Fish.	
Fig bars, Tru Blu :		Strawberry jelly. <i>See</i> Jelly.	
Tru Blu Biscuit Co. _____	16485	Sweet pickles. <i>See</i> Pickles.	
Figs, dried :		Tomato catsup :	
Contadina Oil Products Cor-		Mid-Mountain Fruit Co. _____	16495
poration. _____	16487	Mid-West Food Packers. _____	16478
Fish—		Naas Corporation. _____	16497
mackerel :		Tru Blu fig bars :	
Menzi & Co. _____	16477	Tru Blu Biscuit Co. _____	16485
		Walnut meats. <i>See</i> Nuts.	



United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16501-16525

[Approved by the Secretary of Agriculture, Washington, D. C., November 27, 1929]

16501. Adulteration and misbranding of butter. U. S. v. 5 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23847. I. S. No. 02950. S. No. 1981.)

On May 14, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Nantahala Creamery Co., Franklin, N. C., from Murphy, N. C., on or about May 6, 1929, and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 28, 1929, the Nantahala Creamery Co., Franklin, N. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, or the deposit of cash collateral in like amount, conditioned in part that it be reworked and reprocessed so that it contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16502. Adulteration and misbranding of frozen eggs. U. S. v. 1530 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23781. I. S. Nos. 02700, 08151, 08152, 08153, 08154. S. No. 1991.)

On May 28, 1929, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,530 cans of frozen eggs at Pittsburgh, Pa., alleging that the article had been shipped by the J. A. Long Co., from Winchester, Ind., in various consignments, between the dates of August 4, 1928 and May 14, 1929, and transported from the State of Indiana into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 3, 1929, the J. A. Long Co., Winchester, Ind., having appeared as claimant for the property and having consented to its condemnation and forfeiture, judgment was entered ordering that the product be released to the said

claimant upon payment of costs and the execution of a bond in the sum of \$5,000, conditioned in part that it be reprocessed and reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16503. Adulteration of canned cherries. U. S. v. 8 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22819. I. S. Nos. 18350-x, 18727-x. S. No. 870.)

On June 19, 1928, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of canned cherries at Beaver Falls, Pa., alleging that the article had been shipped by Winters & Powell Canning Co., from Rushville, N. Y., on or about October 15, 1927, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Orchard Brand Red Sour Pitted Cherries * * * Winters & Powell Canning Co., Inc. Rushville, New York."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On June 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16504. Adulteration and misbranding of tomato puree. U. S. v. 7½ Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23298. I. S. No. 03267. S. No. 1412.)

On January 3, 1929, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7½ cases of tomato puree, remaining in the original unbroken packages at Harrisburg, Pa., alleging that the article had been shipped by William Laning & Son Co., from Bridgeton, N. J., on or about October 25, 1928, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Silver Lake Whole Tomato Puree. * * * Packed by Wm. Laning & Son Co. Bridgeton, N. J. (cut of whole red ripe tomato)."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the statement "Whole Tomato Puree" and the design of a whole red ripe tomato, borne on the label, were false and misleading and deceived and misled purchasers when applied to a tomato puree product made from tomato cores and trimmings.

On June 15, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16505. Adulteration and misbranding of butter. U. S. v. One 30-Pound Case, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23836. I. S. Nos. 04174, 04175. S. No. 2074.)

On June 26, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of one 30-pound case, one 20-pound case, three 30-pound boxes, three 20-pound boxes, and twenty-five 1-pound prints of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped from the Mountain View Creamery Co., Purcellville, Va., on or about June 15, 1929, and transported from the State of Virginia into the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Butter * * * Mountain View Creamery Co., Purcellville, Virginia One Pound Table Queen," and "Mountain View Butter, Purcellville, Va., * * * One Pound Net."

It was alleged in the libel that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of Congress of March 4, 1923, which the said article purported to be.

Misbranding was alleged for the reason that the statements, borne on the labels, "Butter," "One Pound Net," and "One Pound," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On July 6, 1929, L. K. McDaniels, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16506. Misbranding of butter. U. S. v. Fifty-five 30-Pound Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23839. I. S. No. 04177. S. No. 2095.)

On June 27, 1929, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 55 cases of butter, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the H. C. Christians Co., from Chicago, Ill., on or about June 17, 1929, and transported from the State of Illinois into the District of Columbia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Gold Band Creamery Butter * * * 1 Pound Net."

It was alleged in the libel that the article was misbranded in that the statement "1 Pound Net," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On July 6, 1929, the National City Dairy Co., Washington, D. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16507. Adulteration of butter. U. S. v. 82 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23846. I. S. No. 04144. S. No. 1796.)

On March 13, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 82 cases of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Hanford Produce Co., from Sioux City, Iowa (on March 2, 1929), and transported from the State of Iowa into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Wrappers on individual prints) "Cloverbloom * * * Creamery Butter * * * Chicago."

It was alleged in the libel that the article was adulterated in that a substance low in milk fat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

On March 30, 1929, the Armour Co., Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant

upon payment of costs and the execution of a bond in the sum of \$2,800, conditioned in part that it should not be sold or disposed of until reconditioned and the resultant product inspected and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16508. Misbranding of dairy feed. U. S. v. 22 Sacks of Atlantic Dairy Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23768. I. S. No. 08879. S. No. 1965.)

On May 11, 1929, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 sacks of dairy feed, remaining in the original unbroken packages at Raleigh, N. C., alleging that the article had been shipped by the Atlantic Milling Co., from Augusta, Ga., on or about March 22, 1929, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Weight Atlantic Dairy Feed, Manufactured by Atlantic Milling Company, Augusta, Ga. Guaranteed Analysis Protein 24%, Fat 5%, Fibre 9% Ingredients."

It was alleged in substance in the libel that an analysis of the product showed it to be deficient in protein and fat, and that the article was misbranded in that the statement on the label, "Guaranteed Analysis Protein 24%, Fat 5%," were false and misleading and deceived and misled purchasers.

On May 28, 1929, the Atlantic Milling Co., Augusta, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$200, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16509. Misbranding and alleged adulteration of butter. U. S. v. 50 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23612. I. S. No. 02785. S. No. 1814.)

On March 18, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 50 cases of butter, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the H. C. Christians Co., Chicago, Ill., March 4, 1929, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of or offered for sale under the distinctive name of another article, and for the further reason that the following statements regarding the article or the ingredients or substances contained therein were false and misleading and deceived and misled the purchaser: (Retail package) "I. V. Butter * * * Churned from Pure Sweet Cream, One Pound Net, Certification of Quality and Purity. We certify that I. V. Butter is made from fresh, pure, pasteurized Sweet Cream. Every churning is inspected by an Official Government Inspector, and is guaranteed to be absolutely pure and of the finest quality of butter obtainable. I. V. Horn Co., Buffalo, N. Y. Distributors;" (paper wrapper) "One Pound Net;" (wholesale package) "I. V. H.—1 Lb.—H. C. Co.—493—Sweet Cream—I. V. Horn Co.—30—1 Lb. Packages Butter."

The I. V. Horn Co., Buffalo, N. Y., appeared as claimant for the property and filed an answer consenting that the butter be condemned as adulterated and misbranded. On March 20, 1929, a decree was entered adjudging the product misbranded and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be reworked, reconditioned, repacked, and relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16510. Adulteration of walnut meats. U. S. v. 825 Cases of Walnut Meats. Product ordered released under bond. (F. & D. No. 23776. I. S. Nos. 07352, 014440, 014441, 014442. S. No. 1961.)

On May 17, 1929, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 825 cases of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the California Walnut Growers Association, from Los Angeles, Calif., on or about March 5, 1929, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 20, 1929, the California Walnut Growers Association, claimant, having admitted the allegations of the libel and having paid all costs and filed a bond in the sum of \$10,000, judgment was entered ordering that the product be released, and permission granted said claimant to reship it to Los Angeles, Calif., to be cleaned, sorted, and salvaged under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16511. Misbranding of alfalfa meal. U. S. v. 200 Bags of Alfalfa Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 23150. I. S. No. 05052. S. No. 1248.)

On October 18, 1928, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 200 bags of alfalfa meal, remaining in the original unbroken packages at Hammond, Ind., alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., from Dexter, N. Mex., on or about August 23, 1928, and transported from the State of New Mexico into the State of Indiana, and charging misbranding in violation of the food and drugs act as amended.

It was alleged in substance in the libel that the article was misbranded in that the labels "Alfalfa Meal 100 Lbs. Net When Packed Made by Pecos Valley Alfalfa Mill Co., Hagerman, New Mexico," borne on the bags containing the article, were false and misleading and tended to and did deceive and mislead purchasers in that the said labels purported that each of the bags contained one full 100 pounds of alfalfa meal, whereas each of said bags did not contain 100 pounds of said alfalfa meal. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the said packages in terms of weight or measure.

On April 13, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16512. Adulteration and misbranding of wheat middlings. U. S. v. 400 Sacks of Wheat Middlings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23658. I. S. No. 012410. S. No. 1898.)

On April 25, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of wheat middlings, remaining in the original unbroken packages at Westminster, Md., alleging that the article had been shipped by the Victoria Elevator Co., from Minneapolis, Minn., on or about February 18, 1929, and transported from the State of Minnesota into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Bellson Fancy Wheat Middlings * * * Guaranteed Analysis Protein, not less than 14.50%, Fat, not less than 3.00% * * * Manufactured for Samuel Bell & Sons, Philadelphia, Pa."

It was alleged in the libel that the article was adulterated in that a substance, ground wheat product, deficient in protein and fat, had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the statements, borne on the label, "Fancy Wheat Middlings Guaranteed Analysis Protein not less than 14.50% Fat, not less than 3.00%," were false and misleading and deceived

and mislead the purchaser, and for the further reason that the article was sold under the distinctive name of another article.

On May 9, 1929, Samuel Bell & Sons, Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that it should not be sold or disposed of until relabeled to conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16513. Adulteration and alleged misbranding of canned corn. U. S. v. 946 Cases of Canned Corn. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 23560. I. S. No. 09126. S. No. 1811.)

On or about March 28, 1929, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 946 cases of canned corn at Detroit, Mich., alleging that the article had been shipped by the H. M. Crites Co., from Ashville, Ohio, February 25, 1929, and transported from the State of Ohio into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act. The article was invoiced as "standard corn." The cans were labeled in part: "Preferred Brand Special * * * Corn * * * Packed by H. M. Crites & Co., Circleville, Ohio."

It was alleged in the libel that the article was adulterated in that field corn had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the designation "corn" was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On May 25, 1929, H. M. Crites and Herman Shade, copartners, trading as H. M. Crites & Co., Circleville, Ohio, having appeared as claimants for the property, judgment was entered by the court finding that the product was adulterated and should be forfeited, condemned, and destroyed. The decree provided, however, that the product be released to the said claimants upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16514. Misbranding of canned cherries. U. S. v. W. N. Clark Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 23724. I. S. No. 20276-x.)

On May 7, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the W. N. Clark Co., a corporation, Rochester, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, on or about September 22, 1927, from the State of New York into the State of Pennsylvania, of a quantity of canned cherries which were misbranded. The article was labeled in part: "Welfare Brand Contents 7 Lbs. 4 Oz. (picture of red cherries) * * * Packed by W. N. Clark Co., Rochester, N. Y."

It was alleged in the information that the article was misbranded in that the statement, to wit, "7 Lbs. 4 Oz.," borne on the cans containing the said article, was false and misleading in that the said statement represented that each of said cans contained 7 pounds and 4 ounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 7 pounds and 4 ounces of the article, whereas they did not contain 7 pounds and 4 ounces of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 17, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16515. Adulteration and alleged misbranding of cloves. U. S. v. 18 Dozen Cans of Cloves. Product ordered released under bond. (F. & D. No. 22630. I. S. No. 23210-x. S. No. 659.)

On March 12, 1928, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation

of 18 dozen cans of cloves, remaining in the original packages at Arkansas City, Kans., alleging that the article had been shipped by the Biston Coffee Co., from St. Louis, Mo., on or about December 17, 1927, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Santa Fe Brand Spices * * * Cloves."

It was alleged in the libel that the article was adulterated in that a product containing starch and ground seed had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength. Adulteration was alleged for the further reason that starch and ground seed had been mixed therewith in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the designation "cloves" was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 1, 1928, the Biston Coffee Co., St. Louis, Mo., having appeared as claimant for the property and having admitted that the said cloves were adulterated, and the claimant having paid costs and executed a bond in the sum of \$25 to the effect that the product would not be sold or otherwise disposed of contrary to the Federal food and drugs act, it was ordered by the court that the said product be released to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16516. Adulteration of butter. U. S. v. 30 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23843. I. S. No. 0293. S. No. 2012.)

On or about May 27, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Bozeman Creamery Co., Bozeman, Mont., and transported from the State of Montana into the State of Washington, arriving at Seattle on or about May 22, 1929, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted for butter.

On May 28, 1929, the Bozeman Creamery Co., Bozeman, Mont., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be made to conform with the Federal food and drugs act under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16517. Adulteration and misbranding of butter. U. S. v. 39 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23845. I. S. No. 04085. S. No. 2026.)

On June 3, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 39 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Indianola Creamery Co., from Indianola, Iowa, May 27, 1929, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On June 10, 1929, the Indianola Creamery Co., Indianola, Iowa, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,200, conditioned

in part that it be reworked and reprocessed. On June 11, 1929, the said decree was amended to include the statement that the claimant agreed that the reconditioned product contain at least 80 per cent of butterfat, and that the packages be plainly and conspicuously marked to show the true quantity of the contents and should not in any other way be in violation of the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16518. Adulteration and misbranding of butter. U. S. v. 10 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. F. & D. Nos. 23842, 23844. I. S. Nos. 04055, 04056. S. Nos. 2010, 2011.)

On May 24, 1929, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 61 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Farmers Union Cooperative Creamery Co., from Maquoketa, Iowa, on or before May 17, 1929, and transported from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On June 5, 1929, the Rhode Creamery Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant, upon payment of costs and the execution of bonds totaling \$2,250, or the deposit of cash collateral in like amount, conditioned in part that the product be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16519. Misbranding of tomato catsup. U. S. v. 290 Cases, et al., of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23358. I. S. Nos. 02645, 02646. S. No. 1514.)

On February 1, 1929, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 290 cases containing 8-ounce bottles, and 149 cases containing 14-ounce bottles of tomato catsup at Johnstown, Pa., alleging that the article had been shipped by the Mid West Food Packers, from Fowlerton, Ind., on or about September 8, 1928, and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Mid-West Brand Tomato Catsup * * * This Catsup Guaranteed To Be Absolutely Pure. No Preservative or Artificial Coloring. Made by Mid-West Food Packers, Fowlerton, Indiana."

It was alleged in the libel that the article was misbranded in that the statements, "This Catsup Guaranteed To Be Absolutely Pure. No * * * Artificial Coloring," were false and misleading and deceived and misled the purchaser.

On June 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16520. Adulteration of canned pitted cherries. U. S. v. 14 Cases of Pitted Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23588. I. S. No. 02767. S. No. 1839.)

On April 5, 1929, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 14 cases of pitted cherries at Erie, Pa., alleging that the article had been shipped by H. A. Johnson, from Williamson, N. Y., on or about October 22, 1928, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Bestovall Brand Red Sour Pitted Cherries. H. A. Johnson Co. Boston, New York Distributors."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On June 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16521. Misbranding of confectionery. U. S. v. 20½ Cartons of Confectionery. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22101. I. S. No. 20406-x. S. No. 147.)

On October 18, 1927, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a District Court, a libel praying seizure and condemnation of 20½ cartons of confectionery at Washington, D. C., alleging that the article was being sold and offered for sale in the District of Columbia, by Edward Zupnik, Washington, D. C., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Peters Jel-E-Etts * * * Net Wt. 1½ Oz. or over."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Net Wt. 1½ oz. or over," was false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On April 30, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16522. Adulteration of dried figs. U. S. v. 12 Cases, et al., of Dried Figs. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 23322, 23323. I. S. Nos. 0770, 6771. S. No. 1445.)

On January 10, 1929, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 20 cases of dried figs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Farnsworth & Ruggles, from San Francisco, Calif., in part on or about September 18, 1928, and in part on or about September 27, 1928, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Packages) "White California Figs * * * Giebler's Fig Gardens, Merced, Calif."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 4, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16523. Adulteration and misbranding of vinegar. U. S. v. 17 Barrels, et al., of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22882. I. S. Nos. 24089-x to 24093-x, incl. S. No. 931.)

On July 14, 1928, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 barrels, 98 cases containing half-gallon jugs, 71 cases containing gallon jugs, 110 cases containing quart bottles, and 92 cases containing pint jugs of vinegar, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by Gravit Bros., from Mayville, N. Y., on or about May 31, 1928, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act as amended. The said barrels were labeled in part: "Gravit Brothers Chautauqua Brand Pure Cider Vinegar made from apples * * * Mayville N. Y." The said jugs and bottles were labeled in part: "Chatauqua Brand Made from Apples Fermented Cider Vinegar * * * Manufactured and Guaranteed by Gravit Bros. Mayville, N. Y., Net Contents One Half Gallon" (or "One Gallon," "One Quart," or "One Pint").

It was alleged in the libel that the article was adulterated in that distilled vinegar had been substituted wholly or in part for the said article and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statement on the barrel lot, "Pure Cider Vinegar Made from Apples," and the statement and design or device on the half-gallon, gallon, quart, and pint lots, "Cider Vinegar Made from Apples," and cut of red apple on stem, were false and misleading and deceived and misled the purchaser. Misbranding was alleged in substance with respect to the half-gallon and gallon lots for the further reason that the statements "Net Contents One Half Gallon," and "Net Contents One Gallon" were false and misleading and deceived and misled the purchaser, since the said half-gallon and gallon containers were short volume, and for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 7, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16524. Adulteration of tomato catsup. U. S. v. 46 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23391. I. S. No. 04713. S. No. 1578.)

On February 9, 1929, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 46 cases of tomato catsup, remaining in the original packages at Quanah, Tex., alleging that the article had been shipped by the Mid-Mountain Canning Co., from Bentonville, Ark., on or about September 29, 1928, and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Mid-Mountain Brand Tomato Catsup * * * Packed by Mid-Mountain Fruit Co., Bentonville, Ark."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 6, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16525. Adulteration of canned spinach. U. S. v. 30 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23697. I. S. No. 02686. S. No. 1956.)

On May 10, 1929, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 cases of canned spinach at Warren, Pa., alleging that the article had been shipped by the Comstock Canneries, from Marion, N. Y., on or about October 22, 1928, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Sweet Violet Brand Spinach * * * Distributed by Mt. Morris Canning Co. Inc., Mt. Morris, N. Y." The remainder of the said article was labeled in part: "Fancy Quality * * * Distributed by Finger Lakes Canning Co. Inc., Penn Yan, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On June 20, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

INDEX TO NOTICES OF JUDGMENT 16501-16525

Alfalfa meal. <i>See</i> Feed.		
Butter:	N. J. No.	
Bozeman Creamery Co-----	16516	
Christians, H. C., Co--	16506, 16509	
Farmers Union Cooperative		
Creamery Co-----	16518	
Hanford Produce Co-----	16507	
Indianola Creamery Co-----	16517	
Mountain View Creamery Co--	16505	
Nantahala Creamery Co-----	16501	
Catsup. <i>See</i> Tomato catsup.		
Cherries, canned:		
Clark, W. N., Co-----	16514	
Winters & Powell Canning		
Co-----	16503	
pitted:		
Johnson, H. A-----	16520	
Cloves. <i>See</i> Spices.		
Confectionery:		
Zupnik, Edward-----	16521	
Corn, canned:		
Crites, H. M., Co-----	16513	
Dairy feed. <i>See</i> Feed.		
Eggs, frozen:		
Long, J. A., Co-----	16502	
Feed—		
alfalfa meal:		
Pecos Valley Alfalfa Mill Co.	16511	
Feed—Continued.		
dairy:	N. J. No.	
Atlantic Milling Co-----	16508	
middlings, wheat:		
Victoria Elevator Co-----	16512	
Figs, dried:		
Farnsworth & Ruggles-----	16522	
Middlings, <i>See</i> Feed.		
Nuts—		
walnut meats:		
California Walnut Growers		
Assoc-----	16510	
Puree. <i>See</i> Tomato puree.		
Spices—		
cloves:		
Biston Coffee Co-----	16515	
Spinach, canned:		
Comstock Canneries-----	16525	
Tomato catsup:		
Mid-Mountain Canning Co--	16524	
Mid-West Food Packers-----	16519	
puree:		
Lanling, Wm., & Son Co-----	16504	
Vinegar:		
Gravit Bros-----	16523	
Walnut meats. <i>See</i> Nuts.		

